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Industrial Relations LAW REPORTS

20-YEAR ALPHABETICAL INDEX
(Cases reported September 1972 to December 1991)

10-YEAR CUMULATIVE INDEX
(Subject index of cases January 1982 to December 1991)

20-YEAR ALPHABETICAL AND 10-YEAR CUMULATIVE INDEX

This index is to cases reported in the first 20 volumes of *Industrial Relations Law Reports* (IRLR) (1972 to 1991). The index is divided into three sections – the Casemark reference system, a 20-year Alphabetical Index to cases reported and a 10-year Cumulative Index of cases reported. With the aid of this index, readers will be able to refer readily to either a particular case or a group of cases on the same or related issues.

The Casemark Reference System (p.2)

IRLR's unique Casemark reference system breaks down the main issues under relevant jurisdictions into numerical references. Each separate jurisdiction is identified by a number in the hundreds – for example, 200 Unfair Dismissal. Under that main head, major issues are referred to by numbers in the tens – eg, 230–239 Reason for dismissal. This range is then subdivided into various aspects – eg, 234 Conduct. Where appropriate, there is a further breakdown to one decimal place according to particular issues – eg, 234.3 Refusal to cooperate with management. In some cases where the issues can be specified still further, the reference goes to two decimal places – eg, 234.36 Refusal to obey an order. The Casemark system is used regularly in IRLR to identify the key issues in the cases reported.

20-year Alphabetical Index to Cases Reported (p.5)

This index lists all cases alphabetically under the name of the applicant or appellant. The reference beside each entry gives the year and page number at which the case was reported. Industrial Tribunal cases and decisions of the Certification Officer are shown in roman type; all others are in italics.

10-year Cumulative Index of Cases (p.17)

Using the Casemark reference system, the Cumulative Index lists cases reported under key issues. It follows the same order as Casemark, starting with Contracts of Employment. To use the Cumulative Index, you will first need to refer to Casemark to establish the numerical reference of the issue with which you are concerned. For example, if you want to refer to cases dealing with employees who have been dismissed for lateness, you should look first under the main unfair dismissal head, then under reason for dismissal, then conduct and finally under attendance, where you will find lateness numbered 234.11. Looking then at the Cumulative Index under 234.11 Reason for dismissal – Conduct – Attendance – Lateness, you will find listed all the cases concerning lateness that we have reported in the past ten years. These appear in year order beginning with 1991. For each year, the cases are then listed in numerical page order beginning with p.1. Once again, Industrial Tribunal cases and Certification Officer decisions appear in roman type and all other cases in italic.

As many cases involve more than one issue, a particular case may well appear in the Cumulative Index under more than one heading.

Using the Index

If you want to refer to a particular case and you know the name of the case, then the Alphabetical Index to cases will indicate if and when we reported the case in IRLR. If you are not sure of the name of the case but know the issue with which it dealt, then by first referring to Casemark as described above, you could use the Cumulative Index to find the report of the case.

If you wish to refer to all the cases that we have reported on a specific issue, then you should refer to the Cumulative Index.

Back Copies

If, in looking through the index, you see cases which you find of particular interest, please remember that back copies of *Industrial Relations Law Reports* are always available. For further details, contact Jenny Crean, Subscriptions Manager, Industrial Relations Services, 18–20 Highbury Place, London N5 1QP, tel: 071-354 5858.

Subscriptions

The Subscriptions Manager will also be pleased to provide details of current subscription rates to IRLR and information about IRS's other services.

irlr CASEMARK

100 CONTRACTS OF EMPLOYMENT

101 Meaning of "employee"
101.1 Illegal contract
102 Formation of contract
102.1 Offer of employment
102.2 Nature of contract
103 Identity of employer
110-119 WRITTEN PARTICULARS
110.1 Legal effect
111 Items to be specified
111.2 Date employment began
111.5 Job title
111.8 Pension rights
111.9 Sick pay
115 Exclusions and qualifications
115.5 Excluded cases
118 Reference to Tribunal
120-139 TERMS OF EMPLOYMENT
120.1 Restrictive covenant
120.2 Secrecy agreement
120.3 Fidelity bond
120.4 Date employment began
120.5 Duration
120.6 Redundancy procedure
120.7 Data protection
121 Job grading/title
122 Job duties
122.1 Flexibility clause
123 Place of employment
123.1 Mobility clause
124 Pay
124.1 Profit-sharing scheme
124.2 Bonus scheme
124.3 Motor allowance
124.4 Commission
125 Hours of work
125.1 Overtime
126 Right to work
127 Notice
127.2 Payment in lieu
127.7 Waiver of right
128 Holidays and holiday pay
129 Sick pay/sick leave
130 Pension rights/ retirement
131 Duty of fidelity
131.1 Trade secrets
131.2 Confidential information
132 Director's fiduciary duty
133 Duty to take reasonable care
134 Duty of mutual trust and confidence
135 Duty to inform
136 Lay off/short-time working
137 Appeals procedure
138 Disputes procedure
139 Disciplinary procedure
150 EMPLOYMENT-RELATED TORTS
150.2 Conspiracy
160 EFFECT OF COLLECTIVE AGREEMENT
169 EFFECT OF WAGES COUNCIL ORDER
170-178 TERMINATION
171 Wrongful dismissal
174 Employer repudiation/ constructive dismissal
175 Frustration
176 By operation of law
179 BREACH OF CONTRACT
180 CONTINUITY OF EMPLOYMENT
190-199 REMEDIES
191 Damages
192 Declaration
193 Injunction
194 Order of certiorari
195 Anton Piller order
196 Specific performance
197 Restitution

200 UNFAIR DISMISSAL

210-219 EXCLUSIONS AND QUALIFICATIONS
211 Meaning of "employee"
211.1 Illegal contract
212 Claim in time
213 Service qualification
213.1 Effect of strike
213.3 20 or less employees
214 Upper age limit
215 Excluded cases
215.1 Work ordinarily outside GB
215.3 Claim prior to dismissal
215.5 Excluded classes of employment
215.54 Police service
216 Fixed-term contracts
217 Weekly hours of work
218 Agreement precluding complaint
219.1 Excluded procedure agreement
220-225 WAS EMPLOYEE DISMISSED?
221 Termination by employer
221.3 Termination of fixed-term contract
221.4 Offer of reinstatement
221.5 Employee's notice during notice period
222 Termination by agreement/offer of new employment
223 Resignation/employee repudiation
224 Employer repudiation/ constructive dismissal
224.1 Change in status, title or grade
224.2 Change in job content
224.3 Change in pay or fringe benefits
224.4 Change in place of work
224.5 Change in hours of work
224.6 Employee's safety
224.9 Other circumstances entitling the employee to terminate
225 Frustration of contract
226 DATE OF TERMINATION
230-239 REASON FOR DISMISSAL
231 No reason shown: evidence
232 Capability
232.1 Skill/competence
232.2 Health
232.3 Aptitude
232.4 Physical
232.5 Mental
233 Qualifications
233.1 Academic
233.2 Technical
233.3 Professional
234 Conduct
234.1 Attendance
234.11 Lateness
234.12 Leaving early
234.13 Clocking offences
234.14 Extended meal breaks
234.15 Absenteeism
234.16 Refusal to work hours requested
234.17 Unauthorised leaving of job site
234.18 Unauthorised absence
234.2 Inadequate performance
234.3 Refusal to co-operate with management
234.31 Refusal to accept a change in status, title or grade
234.32 Refusal to accept a change in job content
234.33 Refusal to accept a change in pay
234.34 Refusal to accept a change in place of work
234.35 Refusal to accept a change in hours of work
234.36 Refusal to obey an order
234.37 Insubordination
234.38 Use of bad language with supervisors and management
234.4 Relationship with other employees
234.41 Violence
234.42 Bad language
234.43 Personality conflicts
234.44 Sexual relationships
234.5 Relationship with people other than employees
234.51 Customers
234.52 Suppliers
234.53 Patients
234.6 Alleged or proven criminal acts
234.61 Theft
234.63 Offence unconnected with work
234.7 Breach of company rules
234.71 Safety
234.72 Carelessness/ negligence
234.73 Drinking or drunkenness
234.74 Selling/gambling
234.75 Using work equipment wrongfully
234.76 Working in competition
234.77 Dishonesty
234.78 Failure to submit medical certificates
234.79 Refusal to attend disciplinary hearing
234.8 Industrial action
234.81 Inducement to breach of contract
234.9 Other misconduct
234.91 Failure to disclose criminal conviction
235 Statutory restriction
236 Other substantial reason
236.1 Conflict between employees
236.5 Expiration of fixed-term contract
237 Inadmissible reason/ union membership grounds
237.1 Trade union
237.11 Membership
237.12 Activities
237.13 Non-membership
237.2 Pressure on employer to dismiss
238 Pregnancy
239 Transfer of undertaking
239.1 Whether reason connected with transfer
239.2 Economic, technical or organisational reason
240-249 WHERE REASON FOR DISMISSAL IS REDUNDANCY
241 Whether reason is redundancy
241.1 Qualifications
241.2 Was employee dismissed?
241.3 Was dismissal for purposes of redundancy?
241.31 Cessation of business
241.32 Diminishing work requirements
241.33 At the place of work
241.4 Onus of proof
241.5 Exclusions
241.53 Offer of alternative employment
242 Selection for redundancy
242.1 Circumstances applied equally to other employees holding similar positions
242.2 Inadmissible reason
242.3 Contravention of a customary arrangement
242.31 Special reasons for contravention
242.4 Contravention of an agreed procedure
242.41 Special reasons for contravention
242.5 Company policy: reasonableness
242.51 Contravention of company policy
242.52 Special reasons for contravention
250-259 SUFFICIENCY OF REASON FOR DISMISSAL
251 Onus of proof
252 Reasonableness in the circumstances: IR Code of Practice
252.1 Disciplinary procedure
252.11 Fair and effective arrangements
252.12 Agreed with employee representatives
252.13 Formal procedure
252.14 Rules and procedure known to employees
252.15 Circumstances which can lead to penalty known
252.16 Specification of authority
252.17 Opportunity to state case
252.18 Opportunity to be represented
252.19 Opportunity to appeal
252.2 Operating the disciplinary procedure
252.21 Warnings
252.22 Gross misconduct: dismissal for first breach
252.23 Action recorded in writing
252.24 Action against shop steward
252.3 Other parts of the Code
252.31 Effective organisation of work
252.32 Security of employment
253 Reasonableness in the circumstances: conduct and capability
253.1 Employer responsibility: other than Code
253.11 Inquiry and investigation
253.12 To establish validity of reason
253.13 To warn of change in practice
253.14 Consistency
253.15 To remedy situation
253.16 Shared responsibility
253.17 To inform employee of reason for dismissal
253.18 To attempt to find alternative employment
253.2 Provocation by superior
253.3 Penalty related to offence
253.4 Injury or illness
253.41 Disabled employee
253.42 Compliance with sick-pay procedure
253.43 Warning/ consultation
253.44 Attempt to find alternative employment
253.5 Summary dismissal
253.51 Serious negligence
253.52 Violence
253.53 Dishonesty
253.54 Theft
253.55 Gross misconduct
253.56 Offence unconnected with work
253.6 Breach of contract
253.8 Industrial action
254 Reasonableness in the circumstances – redundancy
254.1 Attempt to find alternative employment
254.2 Elimination of overtime/short-time working
254.3 Warning
254.4 Consultation
254.5 Basis of selection
254.6 Applying the selection procedure
254.8 Dismissal of apprentice
255 Reasonableness in the circumstances – statutory restriction
256 Reasonableness in the circumstances – other substantial reason
257 Equity and substantial merits of case
257.1 Equity
257.2 Substantial merits of case
258 Interests of the business
259 Size and administrative resources of the undertaking
260-269 DISMISSAL AND INDUSTRIAL ACTION
261 Strike
262 Other industrial action
263 Selection for dismissal
264 Selection for offer of re-engagement
265 Inadmissible reason
266 Date of dismissal
267 Lock-out
268 Pressure on employer to dismiss
270-274 RE-EMPLOYMENT
271 Where grounds are well founded
272 Where practicable
273 In accordance with equity
274 Reinstatement/ re-engagement
274.1 In same job
274.2 In alternative employment
274.3 In same grade
274.4 At current grade rate
274.6 Terms
274.63 Compensation – interim loss
274.65 Repayment of redundancy payment
274.66 Offsetting payments received
274.8 In same capacity
274.9 Failure to comply with order
274.91 Whether practicable
274.92 Remedy
275 INTERIM RELIEF
280-289 COMPENSATION
281 Just and equitable in all the circumstances
282 Expenses

283 Compensatory award
283.1 Past loss
283.11 Notice period
283.12 Beyond notice period
283.13 Recoupment
283.2 Future loss
283.21 Short term
283.22 Long term
283.3 Present loss
283.4 Loss of potential redundancy payment
283.5 Loss of protection against unfair dismissal
283.6 Loss arising from manner of dismissal
283.7 Loss of pension rights
283.8 Loss of service-related notice entitlement
283.9 Other losses
284 Mitigation of loss
285 Contributory fault
286 Additional award
286.1 Employer refusal to re-employ
287 Deductions
288 Basic award
289 Other
289.1 Compensation by agreement
289.2 Loss not within Tribunal's jurisdiction
289.3 Manner of dismissal
289.4 Interest
289.5 Review
289.6 Special award
289.7 Upper limit
290-299 OTHER ASPECTS
291 Representation in Tribunals
292 Costs
293 Tribunal procedure
293.5 Pre-hearing assessment
294 Conciliation
295 Contribution to compensation
296 Voluntary procedure
297 No waiver of rights
298 Discovery and further particulars
299 Advisor's negligence

300 REDUNDANCY PAYMENTS

310-319 EXCLUSIONS AND QUALIFICATIONS
311 Meaning of "employee"
312 Claim in time
313 Service qualification
315.1 Excluded cases – work ordinarily outside GB
316 Fixed-term contracts
317 Was claim settled?
320-325 WAS EMPLOYEE DISMISSED?
321 Termination by employer
321.2 Renewal or engagment
321.3 Termination of fixed-term contract
321.4 Employee's notice during notice period
322 Termination by agreement
322.1 Offer of re-engagement
323 Resignation/employee repudiation
324 Employer repudiation/ constructive dismissal
324.1 Change in status, title or grade
324.2 Change in job content
324.3 Change in pay or fringe benefits
324.4 Change in place of work
324.5 Change in hours of work
325 Frustration of contract
326 CHANGE IN OWNERSHIP OF BUSINESS
327 DATE OF TERMINATION
330-339 WAS DISMISSAL DUE TO REDUNDANCY?
331 Onus of proof
331.1 Statutory presumption
332 Cessation of business
332.3 Place of work
333 Diminishing work requirements
333.1 Employees
333.2 Particular kind of work
333.3 Place of work
338 Employee misconduct
340-349 OFFER OF ALTERNATIVE EMPLOYMENT
341 In writing
342 Suitability
343 Reasonable refusal
345 Trial period
350 LAY OFFS
370-379 CALCULATION OF PAYMENT
371 Written statement
372 Continuity of employment
373 Average weekly rate of remuneration
375 Normal working hours
377 Supervening misconduct dismissal
378 Pension offset
379 Calculation of payment
379.4 Interest
380 Contractual redundancy payments
392 Costs
393 Tribunal procedure
394 Redundancy Fund
395 Redundancy rebates
397 Redundancy payments – no waiver of rights

400 INDIVIDUAL'S RIGHT TO TRADE UNION MEMBERSHIP AND ACTIVITY

410 Right to trade union membership
411 Right to non-membership
412 Right to take part in trade union activity
415 Appropriate time
480 REMEDIES
481 Declaration of rights
482 Compensation
490-499 OTHER
491 Claim in time
492 Costs
496 Discovery

500 EQUAL PAY

501 Meaning of "employment"
510-519 EXCLUSIONS
511 Retirement or death terms or provisions
512 Provision relating to pregnancy or childbirth
513 Claim in time
520-529 TERMS AND CONDITIONS OF EMPLOYMENT LESS FAVOURABLE
521 Pay
524 Sick pay
525 Redundancy/severance payment
526 Calculation of bonus payment
527 Allowances
527.1 Relaxation allowance
527.3 Removal expenses
528 Pension/retirement provisions
530-539 LIKE WORK
530 Employed on
531 Same work
532 Broadly similar
533 Whether differences of practical importance
533.1 Frequency of differences
533.2 Nature of differences
533.3 Extent of differences
534 Comparison with employee in the same employment
540-544 WORK RATED AS EQUIVALENT
541 Equal value
542 Job evaluation study
543 Discriminatory system
545-549 WORK OF EQUAL VALUE
545 Scope of claims
546 Screening hearing
546.1 Onus of proof
546.2 Work previously evaluated
546.3 Discriminatory evaluation
547 Independent expert's report
548 Determination of question
550-559 MATERIAL FACTOR DEFENCE
551 Merit
552 Grading
553 Additional contractual obligations
553.1 Night work
554 Experience/length of service
555 Special duties
556 Personal differential
556.1 Red-circling
557 Historical reasons
558 Location
559 Other
559.1 Hours of work
559.2 Economic circumstances of employer
559.3 Market forces
559.4 Collective agreement
560-569 COMPARISON WITH EMPLOYEES IN OTHER ESTABLISHMENTS
561 Common terms and conditions
562 Whether employers are associated
570-579 COLLECTIVE AGREEMENTS
580-589 DAMAGES
581 Declaration
582 Arrears of remuneration
592 Costs
593 Tribunal procedure
596 Discovery
598 Effect of European Community law

600 SEX DISCRIMINATION

601 Meaning of "employee"
610-619 DEFINITIONS
611 Direct discrimination
612 Indirect discrimination
612.1 Requirement/condition with which fewer of particular sex can comply
612.11 Physical attributes
612.15 Full-time work
612.16 Age
612.2 Whether justifiable
612.21 Safety and health
612.3 To detriment
613 Discrimination against men
613.1 Special treatment of women in connection with pregnancy
614 Discrimination against married persons
614.1 Direct discrimination
614.2 Indirect discrimination
615 Relevant circumstances the same or not materially different
616 Victimisation
617 Pregnancy discrimination
618 Sexual harassment
620-629 EXCLUSIONS AND EXCEPTIONS
621 Meaning of "employee"
622 Claim in time
623 Excluded cases
623.2 Private households
623.3 Midwives
623.4 Work ordinarily outside GB
624 Overlap with Equal Pay Act
624.1 Contractual money benefits
624.3 Contravention of equality clause
624.31 Material factor defence
625 Retirement or death provisions
626 Genuine occupational qualifications
626.1 Physiology or authenticity
626.2 Decency or privacy
626.3 Employee lives on premises
626.5 Provision of personal service
627 National security etc
630-639 DISCRIMINATION BY EMPLOYERS
631 Selection arrangements
631.4 Interview
632 Terms offered
633 Refusal to offer employment
634 Promotion, transfer or training
635 Other benefits, facilities or services
636 Dismissal
637 Other detriments
640-649 OTHER UNLAWFUL ACTS
641 Discriminatory advertising
643 Instructions to discriminate
645 Liability of employers and principals
646 Aiding unlawful acts
650-659 DISCRIMINATION BY OTHERS THAN EMPLOYERS
651 Qualifying bodies
652 Trade unions
654 Education authorities
655 Providers of facilities or services
656 Employment agencies
660-669 POSITIVE ACTION
667 Contract compliance
680-689 INDIVIDUAL REMEDIES
681 Compensation
681.1 Intention to discriminate
681.2 Injury to feelings
681.22 Aggravated damages
681.3 Loss of earnings and other benefits
681.37 Pensions
681.6 Exemplary damages
681.94 Interest
682 Action recommendation
683 Order declaring rights
690-699 OTHER
693 Tribunal procedure
694 Forms for questioning
696 Discovery
697 No waiver of rights
698 Effect of European Community law

700 RACE RELATIONS

701 Meaning of "employee"
710-719 DEFINITIONS
711 Direct discrimination
712 Indirect discrimination
712.1 Requirement/condition with which fewer of a racial group can comply
712.16 Age
712.2 Whether justifiable
712.3 To detriment
713 Racial grounds or group
713.1 Colour
713.2 Race
713.3 Nationality
713.4 Ethnic origins
713.5 National origins
714 Segregation
715 Victimisation
716 Relevant circumstances the same or not materially different
720-729 EXCLUSIONS AND EXCEPTIONS
722 Claim in time
723 Excluded cases
723.4 Work ordinarily outside GB
726 Genuine occupational qualifications
726.5 Provision of personal services
728 Acts done under statutory authority
730-739 DISCRIMINATION BY EMPLOYERS
731 Selection arrangements
732 Terms offered
733 Refusal to offer employment
734 Promotion, transfer or training
735 Other benefits, facilities or services
736 Dismissal
737 Detriments
740-749 OTHER UNLAWFUL ACTS
741 Discriminatory practices
742 Discriminatory advertising
743 Instructions to discriminate
744 Pressure to discriminate
745 Liability of employers and principals
746 Aiding unlawful acts
750-759 DISCRIMINATION BY OTHERS THAN EMPLOYERS
751 Qualifying bodies
752 Trade unions/trade associations
753 Vocational training bodies
755 Providers of facilities or services
756 Employment agencies
760-769 POSITIVE ACTION
767 Contract compliance
770-779 ENFORCEMENT BY CRE
771 Formal investigation
772 Issue of non-discrimination notice
773 Appeal against non-discrimination notice
780-789 INDIVIDUAL REMEDIES
781 Compensation
781.2 Injury to feelings
781.22 Aggravated damages
781.3 Loss of earnings and other benefits
781.6 Exemplary damages
782 Action recommendation
785 Other redress
785.1 Appeal under an enactment
785.2 Complainant in armed forces
790-799 OTHER
792 Costs
793 Tribunal procedure
794 Forms for questioning
796 Discovery
797 Further particulars

800 EMPLOYMENT PROTECTION RIGHTS

810 WRITTEN REASON FOR DISMISSAL
820 GUARANTEED PAY
830 MATERNITY PAY
840 MATERNITY LEAVE
850 TIME OFF FOR TRADE UNION DUTIES/ TRAINING
860 TIME OFF FOR TRADE UNION ACTIVITIES
870 TIME OFF FOR PUBLIC DUTIES
880 TIME OFF TO LOOK FOR WORK
890 OTHERS
891 Insolvency
892 Itemised pay statement
893 Time off for ante-natal care

900 MISCELLANEOUS LEGISLATION

910 REHABILITATION OF OFFENDERS ACT
911 Spent conviction
920 TRUCK ACTS/WAGES ACT
921 Unlawful deduction from wages
921.1 Meaning of "deduction"
921.2 Meaning of "wages"
921.3 Whether required or

authorised by statute or contract
921.4 Whether employee had agreed in writing
929 Remedies
929.1 Repayment of deduction
930 TRADE UNION ACT
940 LOCAL GOVERNMENT ACT
950 FAIR EMPLOYMENT (NORTHERN IRELAND) ACT
960 MISREPRESENTATION ACT
970 TRANSFER OF UNDERTAKINGS REGULATIONS
979 EEC Transfer of Undertakings Directive
980 PATENTS ACT

1100 TRADE UNION RECOGNITION

1200 DISCLOSURE OF INFORMATION

1270 CONFIDENTIALITY

1300 UNION MEMBERSHIP AGREEMENTS

1395 European Convention of Human Rights

1400 COLLECTIVE AGREEMENTS

1401 Definition of worker
1410 LEGAL ENFORCEABILITY
1416 Union as agent for member
1418 Duress

1500 INDUSTRIAL ACTION

1510 DEFINITIONS
1511 Contemplation or furtherance of trade dispute
1512 Due notice of strike
1513 Inducement to breach of contract
1515 Lock-out
1516 Union as agent for member
1517 Union liability
1518 Peaceful picketing
1520-29 TORT IMMUNITIES
1523 Breach of contract
1525 Strike ballot
1540-49 SECONDARY ACTION
1543 Suppliers/customers
1560-69 TORT LIABILITY
1561 Interference with business by unlawful means
1562 Trespass
1563 Nuisance
1564 Interference with contract by unlawful means
1565 Intimidation
1566 Assault
1567 Inducing breach of statutory duty
1570-79 CRIMINAL OFFENCES AND PICKETING
1571 Obstruction of the highway
1572 Breach of the peace
1573 Obstruction of the police
1574 Unlawful assembly
1575 Conspiracy
1575.1 To intimidate
1576 Affray
1580 REMEDIES
1581 Damages
1581.9 Interest
1582 Injunction
1583 Declaration
1590-99 COURT PROCEDURE
1596 Interlocutory relief
1598 Contempt

1600 HANDLING REDUNDANCIES

1601 DEFINITION OF REDUNDANCY
1610-19 TRADE UNION
1612 Recognition
1613 Authorised representative
1620-29 TIMING OF CONSULTATION
1621 Date of dismissal
1622 Date of individual notices
1623 Meaning of establishment
1624 Proposed redundancy
1625 Periods for dismissal
1626 Earliest opportunity
1630-39 INFORMATION
1631 In writing
1632 Timing
1640-49 CONSULTATION REQUIREMENTS
1650-59 SPECIAL CIRCUMSTANCES
1651 Effect on employees
1652 Insolvency
1653 Other financial circumstances
1660-79 PROTECTIVE AWARD
1661 Claim in time
1662 Just and equitable
1663 Seriousness of employer's default
1667 Offsetting payments
1671 Date of commencement of protected period
1674 Remuneration under award
1698 Effect of European Community law

2200 TRADE UNIONS AND INDIVIDUALS

2210-19 EXCLUSION FROM MEMBERSHIP
2220 UNJUSTIFIABLE DISCIPLINE OF UNION MEMBER
2221 Definition of "discipline"
2221.1 Expulsion from union
2221.2 Fine or levy
2221.3 Refusal to accept subscription
2221.4 Access to benefits, services or facilities
2221.5 Pressure on another union
2221.6 Any other detriment
2222 Claim in time
2222.1 Not reasonably practicable
2222.2 Delay due to appeal
2223 Conduct occasioning disciplinary determination
2228 Remedies
2228.1 Declaration
2228.2 Compensation
2250 EXPULSION FROM MEMBERSHIP
2260 BREACH OF UNION RULES
2270 REMEDIES
2271 Injunction
2272 Declaration
2273 Compensation
2274 Damages
2296 Interlocutory relief

2500 TRADE UNION ORGANISATION

2510 LIABILITY GENERALLY
2511 Authorisation of act
2512 Endorsement of act
2513 Repudiation of act
2520-29 Responsible persons
2521 Principal executive committee
2522 Other person empowered by rules
2523 President/general secretary
2524 Other employed official
2525 Union committee
2550-59 BALLOTS
2551 Purpose of ballot
2551.1 Strike or other industrial action
2551.2 Election
2551.3 Union rules
2551.4 Amalgamation
2551.5 Political fund
2551.6 Employer's offer
2580 AMALGAMATIONS

3000 HEALTH & SAFETY AT WORK

3300 SAFETY REPRESENTATIVES
3400 STATUTORY OFFENCES
3410 FAILURE TO DISCHARGE GENERAL DUTY
3430 POLICY STATEMENT
3470 PERSONAL LIABILITY
3480 CORPORATE LIABILITY
3500 EMPLOYER'S LIABILITY
3590 DAMAGES – GENERAL
3591 Pain and suffering
3592 Loss of amenity
3593 Loss of earning capacity
3597 Deductions
3597.1 Redundancy payment
3597.2 Payments made under permanent health insurance scheme
3597.3 Pension benefits
3598 Contributory negligence
3599 Limitation
3600 OTHER PROTECTIVE LEGISLATION
3610 Children & Young Persons Act
3620 Occupiers' Liability Act
3630 Transport Act
3631 Drivers' hours
3700 OCCUPATIONAL DISEASES
3798 Effect of European Community law
3900 OTHER
3960 Discovery

4100 EMPLOYMENT APPEAL TRIBUNAL

4160 Fresh evidence
4170 Notes of evidence
4192 Costs

4200 CERTIFICATION OFFICER

4300 TRIBUNALS

4310 COMPOSITION
4320 RULES OF PROCEDURE
4330 DISCOVERY
4340 FURTHER PARTICULARS
4350 WITNESS ORDERS
4370 REASONS
4392 Costs

4400 COURT OF APPEAL

4492 Costs

4600 ACAS

4700 CENTRAL ARBITRATION COMMITTEE

5000 PAY AND INCOMES POLICY

6000 INCOME TAX

7000 SOCIAL SECURITY

7300 UNEMPLOYMENT BENEFIT

7398 Effect of European Community law

7500 INVALIDITY AND SICKNESS BENEFIT

7598 Effect of European Community law

8000 OCCUPATIONAL PENSION SCHEMES

9000 EMPLOYEE SHARE OPTION SCHEMES

10000 JUDICIAL REVIEW

20-YEAR ALPHABETICAL CASE INDEX

Cases reported September 1972 to December 1991

Key

Entries not in italic are Industrial Tribunal or Certification Officer decisions.
Italic entries without any notation are Employment Appeal Tribunal decisions.
Notations used are abbreviations as follows:

CA – Court of Appeal
CC – County Court
CO – Certification Officer decisions
CS – Court of Session
ECJ – European Court of Justice
ECHR – European Court of Human Rights
HC – High Court
HL – House of Lords
NICA – Northern Ireland Court of Appeal
NIHC – Northern Ireland High Court
NIRC – National Industrial Relations Court
PC – Privy Council
SC – Sheriff Court

A

A R W Transformers Ltd v Cupples [1977] 228
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] 51
Abercrombie v Alexander Thomson [1973] 326
Aberdeen Steak Houses Group plc v Ibrahim [1988] 420
Abernethy v Mott, Hay & Anderson [1974] 213 – CA and [1973] 123 – NIRC
ACAS and others v Grunwick Processing Laboratories Ltd and others [1978] 38 – HL
ACAS v UKAPE and another [1980] 124 – HL and [1979] 68 – CA
Adams v Charles Zub Associates Ltd [1978] 551
Adams v Derby City Council [1986] 163
Adams v GKN Sankey Ltd [1980] 416
Adams and another v West Sussex County Council [1990] 215
Adda International v Curcio [1976] 425
Adlington and others v British Bakeries (Northern) Ltd [1989] 218 – CA
AEI Cables Ltd v McLay [1980] 84 – CS
Age Concern Scotland v Hines [1983] 477
Aguirre v James Smart (Restorations) [1974] 198
Ahearn v National Coal Board [1974] 372
Ainsworth v Glass Tubes & Components Ltd [1977] 74
Air Canada v Lee [1978] 392
Airfix Footwear Ltd v Cope [1978] 396
Albert J Parsons & Sons v Parsons [1979] 117 – CA
Albion Shipping Agency v Arnold [1981] 520
Aldred v Nacanco [1987] 292 – CA
Aldridge v British Telecommunications plc [1990] 10
Aldridge v Dredging & Construction Co Ltd [1972] 67
Alex Munro (Butchers) Ltd v Nicol [1988] 49
Alexander v Home Office [1988] 190 – CA
Alexander and others v Standard Telephones & Cables Ltd (No. 2) [1991] 286 – HC
Alexander and others v Standard Telephones & Cables Ltd [1990] 55 – HC
Alexander Machinery (Dudley) v Crabtree [1974] 56
Ali v London Borough of Southwark [1988] 100 – HC
Ali v Tillotsons Containers Ltd [1975] 272
Alidair Ltd v Taylor [1978] 82 – CA and [1976] 420 – EAT
Allan v F W Farnsworth Ltd [1974] 370
Allders International Ltd v Parkins [1981] 68
Allen v Avon Rubber Co Ltd [1987] 22 – CA
Allen v Hammet [1982] 89
Allen v Hammet [1982] 89
Allen & Son v Coventry [1979] 399
Allied Dunbar (Frank Weisinger) Ltd v Weisinger [1988] 60 – HC
Allwood v William Hill (North East) [1974] 258
Alsop v Star Vehicle Contracts Ltd [1990] 83
Amalgamated Society of Boilermakers, Shipwrights, Blacksmiths & Structural Workers v George Wimpey M E & C Ltd [1977] 95
Amalgamated Union of Engineering Workers v Sefton Engineering Co Ltd [1976] 318
Amos and others v Max-Arc Ltd [1973] 285
Anandarajah v Lord Chancellor's Department [1984] 131
Anderson v British Olivetti Ltd [1976] 287
Anderson v British Uralite [1973] 292
Anderson v Nairn Floors Ltd [1976] 2
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] 429
Anglia Television Ltd v ACTT and COI [1973] 219
Angus Jowett & Co (in liquidation) v NUTGW [1985] 326
Apex Leisure Hire v Barratt [1984] 224
Appleyard v F M Smith (Hull) Ltd [1972] 19
Archbold Freightage v Wilson [1974] 10
Archer v Cheshire & Northwich Building Society [1976] 424 – EAT and [1976] 281 – IT
Archibald v Rossleigh Commercial Ltd [1975] 231
Armagh District Council v Fair Employment Agency for Northern Ireland [1984] 234 – NICA
Armour v Skeen (Procurator Fiscal, Glasgow) [1977] 310 – HC
Arnold v Beecham Group Ltd [1982] 307
Arnold v Beecham Group Ltd [1982] 307
Arthur Guinness Son & Co (GB) Ltd v Green [1989] 288
Artisan Press v Srawley and Parker [1986] 126
Ashby and another v R J Coleman [1978] 51
Ashley v Ministry of Defence [1984] 57
Ashmore v British Coal Corporation [1990] 283 – CA
Associated British Ports and others v TGWU [1989] 399 – HL, [1989] 305 – CA and [1989] 288 – HC
Associated Dairies Ltd v Hartley [1979] 171
Associated Newspapers Group Ltd and others v Wade and others [1979] 201 – CA
Associated Tunnelling v Wasilewski [1973] 346
Associated Tyre Specialists (Eastern) Ltd v Waterhouse [1976] 386
Association of HSD (Hatfield) Employees v Certification Officer [1977] 261
Association of Licensed Aircraft Engineers v ASTMS and others [1973] 253
Association of Licensed Aircraft Engineers v British European Airways and others [1973] 250
Association of Licensed Aircraft Engineers v Court Line Aviation Ltd and ASTMS [1973] 31
Association of Patternmakers and Allied Craftsmen v Kirvin Ltd [1978] 318
Association of Supervisory & Executive Engineers v W H Allen & Sons [1974] 41
Association of University Teachers v University of Newcastle-upon-Tyne [1988] 10
ASTMS v Hawker Siddeley Aviation Ltd [1977] 418
ASTMS v Mucci and Imperial College of Science and Technology [1973] 31
ASTMS v Parkin [1983] 448
ASTMS v The Secretary of State for Employment & Horizon Holidays and others [1973] 177 and [1973] 24, 22 – NIRC
ASTMS (Telephone Contract Officers' Section) v The Post Office [1980] 475 – CA
Atkin v Enfield Group Hospital Management Committee [1975] 217 – CA
Atkin v Ward and Haines Watts [1983] 285
Atkinson v George Lindsay & Co [1980] 196 – CS
Atkinson and another v Tress Engineering Co Ltd [1976] 245
AUEW (TASS) v AUEW (Engineering Section) [1983] 108 – HC
Auguste Noel Ltd v Curtis [1990] 326
Austin Rover Group Ltd v Amalgamated Union of Engineering Workers (TASS) [1985] 162 – HC
Automotive Products Ltd v Peake [1977] 365 – CA and [1977] 105 – EAT
Avon County Council v (1) Foxall and others and (2) Webb and others [1989] 435
Avon County Council v Haywood-Hicks [1978] 118
Avon County Council v Howlett [1983] 447 – CA and [1981] 487 – HC
Avonmouth Construction Co Ltd v Shipway [1979] 14
Axe v British Domestic Appliances Ltd [1973] 58 – NIRC and [1972] 8 – IT
Ayanlowo v Commissioners of Inland Revenue [1975] 253 – CA
Ayub v Vauxhall Motors Ltd [1978] 428
Aziz v Trinity Street Taxis Ltd [1988] 204 – CA and [1986] 435

B

Babar Indian Restaurant v Rawat [1985] 57
Babcock FATA Ltd v Addison [1987] 173 – CA and [1986] 388
Badger v TGWU [1974] 57
Bailey v BP Oil Kent Refinery Ltd [1980] 287 – CA and [1979] 150 – EAT
Bain v Bowles and others [1991] 356 – CA
Baker v Cornwall County Council [1990] 194 – CA
Bakers Union v Clarks of Hove Ltd [1978] 366 – CA, [1977] 264 – EAT and [1977] 167 – IT
Balgobin and Francis v London Borough of Tower Hamlets [1987] 401
Banerjee v City and East London AHA [1979] 147
Banner v Sutcliffe Speakman & Co Ltd [1972] 7
Barber v Guardian Royal Exchange Assurance Group Ltd [1990] 240 – EC and [1983] 240
Barber v Makro Self Service Wholesalers Ltd [1975] 361
Barber v Thames Television plc [1991] 236
Barclay v City of Glasgow District Council [1983] 313
Barclays Bank plc v James [1990] 90
Barclays Bank plc v Kapur and others [1991] 137 – HL, [1989] 387 – CA and [1989] 57
Bariamis v John Stephen of London Ltd [1975] 237
Barley and others v Amey Roadstone Corporation Ltd [1977] 299
Barlow v Whittle [1990] 79
Barnes and another v BPC (Business Forms) Ltd [1975] 313 – HC
Barratt Construction Ltd v Dalrymple [1984] 385
Barratt Developments (Bradford) Ltd v UCATT [1977] 403
Barrel Plating and Phosphating Co Ltd v Danks [1976] 262
Barretts & Baird (Wholesale) Ltd and others v Institution of Professional Civil Servants and others [1987] 3 – HC
Barworth Flockton Ltd v Kirk [1978] 18
Bashir v Brillo Manufacturing Co [1979] 295
Basnett v J & A Jackson Ltd [1976] 154 – HC
Basted and others v Pell Footwear Ltd [1975] 117
Batchelor v British Railways Board [1987] 136 – CA
Bateman v British Leyland UK [1974] 101 – NIRC and [1973] 265 – IT
Bates Farms & Dairy Ltd v Scott [1976] 214
Baxter v Harland & Wolff plc [1990] 516 – NICA
Bayoomi v British Railways Board [1981] 431
Beal and others v Beecham Group Ltd [1982] 192 – CA and [1981] 127 – EAT
Beard v Governors of St Joseph's School [1979] 144
Beardmore v Westinghouse Brake & Signal Co [1975] 310 – HC
Beaton v Anglo Continental School of English Ltd

[1972] 42
Beaverbrook Newspapers Ltd v Keys [1978] 34 – CA
Bedwell and others v Hellerman Deutsch Ltd [1976] 98
Beecham Group Ltd v Beal and others (No. 2) [1983] 317
Belhaven Brewery Co v McLean (HM Inspector of Factories) [1975] 370
Bell v The Devon & Cornwall Police Authority [1978] 283
Bendall v Paine & Betteridge [1973] 44
Bentley Engineering Co Ltd v Crown and Miller [1976] 146 – HC
Bentley Engineering Co Ltd v Mistry [1978] 436
Benton v Sanderson Kayser Ltd [1989] 19 – CA and [1988] 235
Benveniste v University of Southampton [1989] 122 – CA
Berg and Busschers v Besselsen [1989] 447 – ECJ
Berkeley Garage (Southampton) Ltd v Edmunds [1975] 125
Berrett v May & Baker Ltd [1976] 243
Berriman v Delabole Slate Ltd [1985] 305 – CA and [1984] 394
Berrisford v Woodard Schools (Midland Division) Ltd [1991] 247
Berwick Salmon Fisheries Co Ltd v Rutherford and others [1991] 203
Bessenden Properties v Corness [1974] 338 – CA and [1973] 365 – NIRC
Best v Taylor Woodrow Construction Ltd [1975] 177
Betteridge v C A Parsons & Co Ltd and AUEW [1973] 228
Betts v D Beresford [1974] 271
Bevan Harris Ltd t/a The Clyde Leather Co v Gair [1981] 520
Bex v Securicor Transport Ltd [1972] 68
Bick v Royal West of England Residential School for the Deaf [1976] 326
Biggs v Trend Mills [1973] 169
Bilka-Kaufhaus GmbH v Weber von Hartz [1986] 317 – ECJ
Binns v Versil Ltd [1975] 273
Binns v W & J Wass [1981] 355
Birch and Humber v University of liverpool [1985] 165 – CA and [1984] 54
Birds Eye Walls Ltd v Harrison [1985] 47
BL Cars and another v Brown and others [1983] 193
BL Cars Ltd v Lewis [1983] 58
Black v Carricks (Caterers) Ltd [1980] 448 – CA
Blackman v The Post Office [1974] 46
Blackwell v GEC Elliott Process Automation [1976] 144
Blair Moore v Girlings Ferro-Concrete [1974] 294
Blake v Berkel Auto Scale [1974] 272
Blanchard v DRE Holdings [1974] 266
Bliss v South East Thames Regional Health Authority [1985] 308 – CA
Blower v Southcott & Co Ltd [1972] 78
Blue Circle Staff Assn v The Certification Officer [1977] 20
Blue Star Ship Management Ltd v Williams [1979] 16
Blyth v Scottish Liberal Club and others [1983] 245 – CS
Bohon-Mitchell v (1) Common Professional Examination Board and (2) Council of Legal Education [1978] 525
Bolton Roadways Ltd v Edwards and others [1987] 392
Bond v CAV Ltd and Neads v CAV Ltd [1983] 360 – HC
Bonner v H Gilbert Ltd [1989] 474
Boobier v Johnsons Cleaners (Southern) [1974] 329
Booker v Top Rank Motorport [1972] 20
Boorman and another v Pickard & Beale [1973] 135
Boothby v Kingston Craftsmen Ltd [1975] 138
Boots Company plc v Lees-Collier [1986] 485
Bork P International A/S v Foreningen af Arbejdsledere i Danmark [1989] 41 – ECJ
Bosworth v Angus Jowett & Co Ltd [1977] 374
Bouchaala v Trust House Forte Hotels Ltd [1980] 382
Bourne v Colodense Ltd [1985] 339 – CA
Bovey v The Board of Governors of the Hospital for Sick Children [1978] 241 – EAT and [1977] 417 – IT
Bowater Containers Ltd v McCormack [1980] 50
Bowater plc v Charlwood [1991] 340
Bowden v The Post Office [1976] 169
Bowie v British Leyland UK Ltd [1976] 48
Boxfoldia Ltd v National Graphical Association (1982) [1988] 383 – HC
Boychuk v H J Symons Holdings Ltd [1977] 395
Boyee and others v Torquay Cemetery Co [1975] 80
Boyle v Tennent Caledonian Breweries Ltd [1978] 321
BP Chemicals Ltd v Joseph [1980] 55
Bracebridge Engineering Ltd v Darby [1990] 3
Bracey A G Ltd v Iles [1973] 210
Bradley and others v NALGO [1991] 159
Bradley v Opperman Gears Ltd [1975] 13
Bradshaw v Rugby Portland Cement Co Ltd [1972] 46
Brandon and Goold v Murphy Bros [1983] 54
Brassington and others v Cauldon Wholesale [1977] 479
Bray v Tarmac Construction Ltd [1976] 86
Breach v Epsylon Industries Ltd [1976] 180
Brear v W Wright Hudson Ltd [1977] 287
Brennan v C Lindley & Co [1974] 153
Brennan v J H Dewhurst Ltd [1983] 357
Brennan v Mott, Hay & Anderson [1975] 305
Brennan and another v Ellward (Lancs) Ltd [1976] 378
Bridgen v Lancashire County Council [1987] 58 – CA
Briggs v North Eastern Education and Library Board [1990] 181 – NICA
Briggs v Oates [1990] 472 – HC
Brindle v H W Smith (Cabinets) Ltd [1972] 125 – CA
Brindley v Tayside Health Board [1976] 364
Bristol Channel Ship Repairers Ltd v O'Keefe and others and G N Lewis [1977] 13
Bristol Garage (Brighton) Ltd v Lowen [1979] 86
Bristow v City Petroleum Ltd [1987] 340 – HL and [1985] 459 – HC
British Aircraft Corporation Ltd v Austin [1978] 332
British Airports Authority v Ashton and others [1983] 287 – HC
British Airways Board v Clark and Havill [1982] 238
British Airways Engine Overhaul Ltd v Francis [1981] 9
British Association of Advisers and Lecturers in Physical Education v National Union of Teachers [1986] 497 – CA
British Bakeries (Northern) Ltd v Adlington and others [1988] 177
British Broadcasting Corporation v Beckett [1983] 43
British Broadcasting Corporation v Constanti [1979] 114 – CA and [1977] 337 – EAT
British Broadcasting Corporation v Dixon [1979] 114 – CA and [1977] 337 – EAT
British Broadcasting Corporation v Hearn and others [1977] 273 – CA and [1977] 269 – HC
British Broadcasting Corporation v Ioannou [1975] 184 – CA and [1974] 77 – NIRC
British Coal Corporation v Cheesbrough and Secretary of State for Employment [1990] 148 – HL, [1988] 351 – CA and [1988] 84
British Coal Corporation v McGinty [1988] 7
British Gas plc v McCarrick [1991] 305 – CA
British Gas plc v Sharma [1991] 101
British Home Stores Ltd v Burchell [1978] 379
British Judo Association v Petty [1981] 484
British Labour Pump Co Ltd v Byrne [1979] 94
British Leyland UK Ltd v Ashraf [1978] 330
British Leyland UK Ltd v McQuilken [1978] 245
British Leyland UK v The Pay Board [1974] 60 – HC
British Leyland UK Ltd v Powell [1978] 57
British Leyland UK Ltd v Swift [1981] 91 – CA
British Library v Palyza and Mukherjee [1984] 306
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] 222 – CA
British Olivetti Ltd v Kay [1975] 29 – HC
(1) British Railways Board v Natarajan and (2) Natarajan v British Railways Board [1979] 45
British Railways Board v NUR [1989] 349 – CA and [1989] 345 – HC
British Railways Board v Paul [1988] 20
British Telecommunications plc v Sheridan [1990] 27 – CA
British United Shoe Machinery Co Ltd v Clarke [1977] 297
Broaders v Kalkare Property Maintenance Ltd [1990] 421
Brodie and another v Startrite Engineering Co Ltd [1976] 101
Bromley and others v H & J Quick Ltd [1988] 249 – CA and [1987] 456
Brook Lane Finance Co Ltd v Bradley [1988] 283
Brooker v Charrington Fuel Oils Ltd [1981] 147
Brooks and others v British Telecommunications plc [1991] 4
Brooks W & Son v Skinner [1984] 379
Broome v Director of Public Prosecutions [1974] 26 – HL and [1973] 145 – HC
Broomsgrove v Eagle Alexander Ltd [1981] 127
Brown v G Percy Trentham Ltd [1976] 279
Brown v Hall Advertising Ltd [1978] 246
Brown v South of Scotland Electricity Board [1973] 70
Brown v Southall & Knight [1980] 130
Brown v Stockton-on-Tees Borough Council [1988] 263 – HL, [1987] 230 – CA and [1986] 432
Brown v William Press & Son Ltd [1975] 8
Brown and another v W J Fotherby Ltd [1975] 229
Brown and others v Knowsley Borough Council [1986] 102
Brownson v Hire Service Shops Ltd [1978] 73
BSC Sports & Social Club v Morgan [1987] 391
Buchanan v Tilcon Ltd [1983] 417 – CS
Buckhurst v W & C French (Construction) Ltd [1972] 11
Buckland v Dowty Rotol Ltd [1976] 162
Bugden & Co v Thomas [1976] 174 – EAT and [1975] 201 – IT
Bullock v Alice Ottley School [1991] 324
Bumpus v Standard Life Assurance [1974] 232
Burdekin v Dolan Corrugated Containers Ltd [1972] 9
Burdett-Coutts and others v Hertfordshire County Council [1984] 91 – HC
Burnley Nelson Rossendale and District Textile Workers' Union v Amalgamated Textile Workers' Union [1986] 298
Burns and another v Ideal Timber [1975] 19
Burns International Security Services Ltd v Butt [1983] 438
Burroughs Machines Ltd v Timmoney and others [1977] 404 – CS and [1976] 343 – EAT
Burrows v Ace Caravan Co (Hull) Ltd [1972] 4
Burton v British Railways Board [1982] 116 – ECJ and [1981] 16 – EAT
Burton, Allton & Johnson Ltd v Peck [1975] 87 – HC
Burton Group Ltd v Smith [1977] 351
Busfield v University of Essex [1978] 490
Bussey v CSW Engineering [1973] 9
Butler v J Wendon & Son [1972] 15
Bygott v Woodall-Duckham Ltd [1976] 168
Byrne v City of Birmingham District Council [1987] 191 – CA
Byrne and others v Financial Times Ltd [1991] 417

C

Cadoux v Central Regional Council [1986] 131 – CS
Cain v Leeds Western Health Authority [1990] 168
Calder v James Finlay Corporation Ltd [1989] 55
Caledonian Mining Co Ltd v Bassett and Steel [1987] 165
Calveley and others v Merseyside Police [1986] 177 – CA
Calvert v Allisons (Gravel Pits) Ltd [1975] 71
Camellia Tanker Ltd SA v International Transport Workers' Federation and Nelson [1976] 190 – CA and [1976] 183 – HC
Campion D J M and A J v Hughes (HM Inspector of Factories) [1975] 291
Canning v Greater London Council [1980] 378
Canning v Niaz and McLoughlin [1983] 431
Canter and others v Bowater Containers Ltd [1975] 323
Capon v Rees Motors [1980] 294 – CA
Capper Pass Ltd v Allan [1980] 236
Capper Pass Ltd v Lawton [1976] 366
Carlin v St Cuthbert's Co-operative Association [1974] 188
Carlson v The Post Office [1981] 158
Carmichael (Procurator Fiscal) v Rosehall Engineering Works Ltd [1983] 482 – Sheriff Court and [1983] 480 – HC
Carr v Alexander Russell Ltd [1976] 220 – CS and [1975] 49 – IT
Carr v Allen-Bradley Electronics Ltd [1980] 263
Carricks (Caterers) Ltd v Nolan [1980] 259
Carrington v Helix Lighting Ltd [1990] 6
Carry All Motors Ltd v Pennington [1980] 455
Carter v Credit Change Ltd [1979] 361 – CA and [1979] 309 – EAT
Carter v Wiltshire County Council [1979] 331
Cartiers Superfoods Ltd v Laws [1978] 315
Cartlidge v Chief Adjudication Officer [1986] 182 – CA
Cartwright v G Clancey Ltd [1983] 355
Case v Group 4 Total Security [1974] 368
Casey v Joseph Dawson [1973] 15
Cassidy v H C Goodman Ltd [1975] 86
Castledine v Rothwell Engineering [1973] 99
Catherine Haigh Harlequin Hair Design v Seed [1990] 175
Cave and another v British Railways Board [1976] 400
Cawley v South Wales Electricity Board [1985] 89
Cawthorn & Sinclair v Hedger [1974] 49
Central Electricity Generating Board v Coleman and James and others [1973] 117 – NICR and [1973] 3[illegible] – IT
Certification Officer v Squibb UK Staff Association [1979] 75 – CA and [1977] 355 – EAT
Chadwick v Rochdale Brick Co (1929) Ltd [1972] 52
Chantrill v W F Shortland Ltd [1975] 208 – HC and [1974] 333 – IT
Chapman v Aberdeen Construction Group plc [1991] 505 – CS
Chapman v Letheby & Christopher Ltd [1981] 440

Chapman and Elkin v CPS Computer Group plc [1987] 462 – CA
Chapman and others v Goonvean and Rostowrack China Clay Co Ltd [1972] 124
Chappell and others v Times Newspapers Ltd and others [1975] 90 – CA
Chapple v Andrew Antenna Systems [1975] 7
Charles Early & Marriott (Witney) Ltd v Smith and another [1977] 123
Charles Lang & Sons Ltd v Aubrey [1977] 354
Charles Letts & Co Ltd v Howard [1976] 248
Charlton v The Forrest Printing Co Ltd [1980] 331 – CA and [1978] 559 – HC
Chattopadhyay v Headmaster of Holloway School and others [1981] 487
Cheall v Association of Professional, Executive, Clerical and Computer Staff [1983] 215 – HL, [1982] 362 – CA and [1982] 91 – HC
Cheall v Vauxhall Motors Limited [1979] 253
Cheatle v Commissioners of Inland Revenue [1982] 240 – HC
Chelsea Football Club & Athletic Co Ltd v Heath [1981] 73
Chesham Shipping Ltd v Rowe [1977] 391
Chiltern House Ltd v Chambers and others [1990] 88
Chiu v British Aerospace plc and others [1982] 56
Chriss v John Lichfield [1975] 28
Chrystie v Rolls-Royce (1971) Ltd [1976] 336
Chubb Fire Security Ltd v Harper [1983] 311
Churcher v Weyside Engineering [1976] 402
Churchill v Yeates & Son t/a Yeates Catering Equipment [1983] 187
City & Hackney Health Authority v Crisp [1990] 47
City and Hackney Health Authority v National Union of Public Employees and others [1985] 252 – CA
City of Birmingham District Council v Beyer [1977] 211
City of Bradford Metropolitan Council v Arora [1991] 165 – CA and [1989] 442
City of Edinburgh District Council v Stephen [1977] 135
Civil Service Union v Central Arbitration Committee [1980] 274 – HC
Claisse v Hostetter, Stewart & Keydril Ltd [1978] 205
Clapton v Ketton Foundry Co Ltd [1972] 48
Clark v Civil Aviation Authority [1991] 412
(1) Clarke v Eley (IMI) Kynoch Ltd and (2) Eley (IMI) Kynoch Ltd v Powell [1982] 482 – EAT and [1982] 131 – IT
Clarke and others v Chadburn and others [1984] 350 – HC
Clarke and others v Wolsey Ltd [1975] 154
Clarke v Hampshire Electro-Plating Co Ltd [1991] 490
Clarks of Hove Ltd v The Bakers' Union [1978] 366 – CA, [1977] 264 – EAT and [1977] 167 – IT
Clarkson Brown Muff & Co [1974] 66
Clarkson International Tools v Short [1973] 90 – NIRC and [1973] 49 – IT
Clay Cross (Quarry Services) Ltd v Fletcher [1978] 361 – CA and [1977] 258 – EAT
Clayton v Vigers [1990] 177
Clemens v Peter Richards Ltd t/a John Bryan [1977] 332
Cleminson v Post Office Engineering Union [1980] 1
Cleveland County Council v Springett and others [1985] 131
Clifford v Union of Democratic Mineworkers [1991] 518 – CA
Clyde Pipeworks Ltd v Foster [1978] 313
Clymo v Wandsworth London Borough Council [1989] 241
Co-operative Employers Association v The Pay Board [1974] 11 – HC
Coales v John Wood & Co (Solicitors) [1986] 129
Coalter v Walter Craven Ltd [1980] 262
Coates v C J Crispin Ltd [1973] 210
Coates and Venables v Modern Methods and Materials Ltd [1982] 318 – CA
Cobb v Secretary of State for Employment and MSC [1989] 464
Cockcroft v Trendsetter Furniture [1973] 6
Coendoz v Midland Bank Ltd [1975] 172
Cohen v London Borough of Barking [1976] 416
Cole v City of Birmingham District Council [1978] 394
Cole v Fred Stacey Ltd [1974] 73
Cole v Midland Display Ltd [1973] 62
Coleman v Post Office Engineering Union [1981] 427
Coleman v S & W Baldwin t/a Baldwins [1977] 342
Coleman v Skyrail Oceanic t/a Goodmos Tours [1981] 398 – CA
Coleman v Tolemans Delivery Service [1973] 67
Coleman and another v Central Electricity Generating Board [1973] 117 – NIRC and [1973] 35 – IT
Coleman and another v Magnet Joinery [1974] 343 – CA and [1973] 361 – NIRC
Colin Johnson t/a Richard Andrew Ladies Hairstylists v Baxter [1985] 95
Colledge v Bass Mitchells & Butlers Ltd [1988] 163 – CA
Colwyn Borough Council v Dutton [1980] 420
Comer v Cochrane's Landscapes Ltd [1975] 302
Comerford v Swel Foods Ltd [1972] 17
Commission for Racial Equality v Amari Plastics Ltd [1982] 252 – CA and [1981] 340 – EAT
Commission for Racial Equality v Dutton [1989] 8 – CA
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] 315
Commission of the European Communities v Kingdom of Belgium [1991] 393 – ECJ
Commission of the European Communities v United Kingdom of Great Britain and Northern Ireland [1984] 29 – ECJ and [1982] 333 – ECJ
Community Task Force v Rimmer [1986] 203
Con-Mech (Engineers) v AUEW (Engineering Section) [1974] 2, 4 and [1973] 331, 333, 335 – NIRC
Connor v Halfords Ltd [1972] 109
Conoco (UK) Ltd v Neal [1989] 51
Constanti v British Broadcasting Corporation [1979] 114 – CA and [1977] 337 – EAT
Construction Industry Training Board v Leighton [1978] 60
Converfoam (Darwen) Ltd v Bell [1981] 195
Conway v Matthew Wright & Nephew Ltd [1977] 89
Conway v The Queen's University of Belfast [1981] 137 – NICA
Cook v Thomas Linnell & Sons Ltd [1977] 132
Coomes, E (Holdings) Ltd v Shields [1978] 263 – CA and [1977] 131 – EAT
Cooner v P S Doal & Sons [1988] 338
Cooper v British Steel Corporation [1975] 308 – HC
Cooper v Paterson Candy International Ltd [1972] 107
Copson and another v Eversure Accessories [1974] 247
Coral Leisure Group Ltd v Barnett [1981] 204
Coral Squash Clubs Ltd v Matthews and another [1979] 390
Corby v Morrison t/a The Card Shop [1980] 218
Cornelius v University College of Swansea [1987] 141 – CA
Corner v Buckinghamshire County Council [1978] 320
Corton House Ltd v Skipper [1981] 78
Cory Lighterage Ltd v TGWU and others [1973] 152 – CA and [1973] 148 – HC
Costain Civil Engineering Ltd v Draycott [1977] 17
Costello v United Asphalt Co [1975] 194
Cotter v Lynch Brothers [1972] 20
Cotter and another v Minister for Social Welfare and another [1991] 380 – ECJ
Coulson v City of London Polytechnic [1976] 212
Coulson v Felixstowe Dock Co [1975] 11
Council of the City of Cardiff v Conde [1978] 218
Council of Engineering Institutions v Maddison [1976] 389
Courage Take Home Trade Ltd v Keys; Keys v Courage Take Home Trade Ltd [1986] 427
Courtaulds Northern Spinning Ltd v Moosa [1984] 43
Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] 305 – CA
Courtaulds Northern Textiles Ltd v Andrew [1979] 84
Courtney v Babcock & Wilcox (Operations) Ltd [1977] 30
Cowan and others v Charlesworth and others [1987] 278 – HC
Cowan and others v Scargill and others [1984] 260 – HC
Coward v John Menzies (Holdings) Ltd [1977] 428
Cowell v Quilter Goodison & Co Ltd and another [1989] 392 – CA
Cowen v Haden Carrier Ltd [1982] 225
Cox v ELG Metals Ltd [1984] 3
Cox v Philips Industries Ltd [1975] 344 – HC
Cox v Wildt Mellor Bromley Ltd [1978] 157
Cox W E Toner (International) Ltd v Crook [1981] 443
Coyne v Exports Credits Guarantee Dept [1981] 51
CPS Recruitment Ltd t/a Blackwood Associates v (1) Bowen and (2) Secretary of State for Employment [1982] 54
Crampton v Dacorum Motors Ltd [1975] 168
Crapper v Butler Machine Tool Co [1973] 194
Crawford v Swinton Insurance Brokers Ltd [1990] 42
Crazy Prices (Northern Ireland) Ltd v Hewitt [1980] 396 – NICA
Creffield v British Broadcasting Corporation [1975] 23
Cresswell and others v Board of Inland Revenue [1984] 190 – HC
Crewe v Social Security Commissioner [1982] 295 – CA
Crompton v Truly Fair (International) Ltd [1975] 250 – HC
Cross International v Reid and others [1985] 387 – CA
Crosville Motor Services Ltd v Ashfield [1986] 475
Crouch v British Rail Engineering Ltd [1988] 404 – CA
Crouch v Post Office and UPW [1974] 22 – HL [1973] 178 – CA and [1972] 121 – NIRC
Crown Agents for Overseas Governments and Administration v Lawal [1978] 542
Crown Suppliers (PSA) v Dawkins [1991] 327
Crump v Chubb & Sons Lock and Safe Co Ltd [1975] 293
Cullen v Creasey Hotels (Limbury) Ltd [1980] 59
Curry v Harlow District Council [1979] 269
Curtis v James Paterson (Darlington) [1974] 88
Cuthbertson v AML Distributors Ltd [1975] 228

D

D'Ambrogio v Hyman Jacobs Ltd [1978] 236
Da Costa v Optolis [1976] 178
Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] 439 – CA
Dacres v The Wall's Meat Co Ltd [1976] 20 – HC
Dada v Metal Box Co [1974] 251
Dairy Produce Packers Ltd v Beverstock [1981] 265
Dakri A & Co Ltd v Tiffen and others [1981] 57
Dal and others v A S Orr [1980] 13
Daley v A E Dorsett (Almar Dolls Ltd) [1981] 385
Daley v Allied Suppliers Ltd [1983] 14
Daley and others v Strathclyde Regional Council [1977] 414
Dalgleish v Kew House Farm Ltd [1982] 251 – CA
Dalgleish and others v Lothian and Borders Police Board [1991] 422 – CS
Dalton v Burtons Gold Medal Biscuits [1974] 45
Danfoss (Handels-OG Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening) [1989] 532 – ECJ
Davenports CB & Brewery v TGWU [1973] 298 and 337 – NIRC
Davidson v John Calder (Publishers) Ltd and Calder Educational Trust Ltd [1985] 97
Davidson v Pillay [1979] 275
Davidson and another v Comparisons [1980] 360
Davies v Anglo Great Lakes Corporation [1973] 133
Davies v GKN Birwelco (Uskside) Ltd [1976] 82
Davies v McCartneys [1989] 439
Davies v Presbyterian Church of Wales [1986] 194 – HL
Davis v Swift Automobiles Ltd [1972] 55
Davis and another v Head Wrightson Teesdale Ltd [1979] 170
Davis & Sons v The Environmental Health Department of Leeds City Council [1976] 282
Davison v Kent Meters Ltd [1975] 145
Davy v J E Collins (Builders) [1974] 324
Day v Diemer & Reynolds Ltd [1975] 298
Daynecourt Insurance Brokers Ltd v Iles [1978] 335
De Souza v Automobile Association [1986] 103 – CA and [1985] 87
Dean v Eastbourne Fishermen's & Boatmen's Protection Society & Club Ltd [1977] 143
Dean v Islamic Foundation [1982] 290 – CA and [1981] 491 – EAT
Deary (HM Inspector of Factories) v Mansion Hide Upholstery Ltd [1983] 195 – HC
Dedman v British Building & Engineering Appliances [1973] 379 – CA
Deegan v T T Norman & Sons Ltd [1976] 139
Deeley v British Rail Engineering Ltd [1980] 147 – CA and [1979] 5 – EAT
Dekker v Stichting Vormingscentrum Voor Jonge Volwassenen (VFV-Centrum) Plus [1991] 27 – ECJ
Del Monte Foods Ltd v Mundon [1980] 224
Delanair Ltd v Mead [1976] 340
Delaney v Staples [1991] 112 – CA and [1990] 86
Denco Ltd v Joinson [1991] 63
Dennehy v Sealink UK Ltd [1987] 120
Denton v Neepsend Ltd [1976] 164
Department of Health and Social Security v Coy [1983] 474
Depledge v Pye Telecommunications Ltd [1980] 390
Derby City Council v Marshall [1979] 261
Deria and others v General Council of British Shipping (t/a Merchant Navy Establishment Administration) [1986] 108 – CA
Derrybaa Ltd t/a Le Mange Tout v Castro-Blanco [1986] 495
Devis & Sons Ltd v Atkins [1977] 314 – HL, [1976] 428 – CA and [1976] 16 – HC
Devon County Council v Cook [1977] 188
Dewar & Finlay Ltd v Glazier [1973] 236
Dews v National Coal Board [1987] 330 – HL
Dhami v Top Spot Night Club [1977] 231
Dhatt v McDonalds Hamburgers Ltd [1991] 130 – CA
Diamond v Courtaulds Hosiery Ltd [1979] 449
Dibro Ltd v Hore and others [1990] 129
Dick v Royal West of England Residential School for the Deaf [1976] 326
Dietman v London Borough of Brent [1988] 299 – CA, [1987] 259 – HC and [1987] 146 – CA

Dimbleby & Sons Ltd v National Union of Journalists [1984] 161 – HL and [1984] 67 – CA
Dimskal Shipping Co SA v International Transport Workers' Federation [1990] 102 – CA
Dimtsu v Westminster City Council [1991] 450
Din v Carrington Viyella Ltd (Jersey Capwood Ltd) [1982] 281
Discount Tobacco & Confectionery Ltd v Armitage [1990] 14
Distillers Co (Bottling Services) Ltd v Gardner [1982] 47
Dixon v British Broadcasting Corporation [1979] 114 – CA and [1977] 337 – EAT
Dixon v John Laing Construction Ltd [1972] 44
Dixon v (1) London Production Tools Ltd and (2) Phildon Instrumentation (London) Ltd [1980] 385
Dixon v Stenor Ltd [1973] 28
Dixon and another v West Ella Developments Ltd [1978] 151
Dobie v Burns International Security Services (UK) Ltd [1984] 329 – CA and [1983] 278
Doble v Firestone Tyre and Rubber Co Ltd [1981] 301
Dobson and others v Morritt Ltd [1972] 99, 101
Dodd v British Telecom plc [1988] 16
Dolby v British Hovercraft Corporation Ltd [1972] 113
Donald Cook & Sons Ltd v Carter [1977] 88
Donelan v Kerrby Constructions Ltd and Secretary of State for Employment [1983] 191
Donnelly v Feniger & Blackburn Ltd [1973] 26
Donnelly v London Brick Co [1974] 331
Donnelly (Inspector of Taxes) v Williamson [1981] 533 – HC
Donson and another v Conoco [1973] 258
Dorman v Hadrian Plastics Ltd [1976] 207
Dornan v Belfast City Council [1990] 179 – NICA
Dorothy Perkins Ltd v Dance and others [1977] 226
Dorrell and another v Engineering Developments (Farnborough) Ltd [1975] 234
Dowuona v John Lewis plc [1987] 310 – CA
Draper v Kraft Foods Ltd [1973] 328
Drew v St Edmundsbury Borough Council [1980] 459
Drury v The Bakers' Union [1973] 171
Dudar v Leys Malleable Castings [1973] 51
Dugdale and others v Kraft Foods Ltd [1976] 368 – EAT and [1976] 204 – IT
Dugdale and others v Kraft Foods Ltd (No. 2) [1977] 160
Duke v GEC Reliance (formerly Reliance Systems) [1988] 118 – HL, [1987] 139 – CA and [1982] 347
Duke v Prospect Training Services Ltd [1989] 196
Dunbar v Ford Motor Co [1975] 178
Duncan v GEC Telecommunications Ltd [1976] 3
Duncan v Scottish Farmers' Dairy [1973] 48
Duncan v Weir Pacific Valves Ltd [1978] 523
Dunn v Pochin (Contractors) Ltd [1982] 449
Dunning A J & Sons v Jacomb [1973] 206
Duport Furniture Products Ltd v (1) Moore and (2) ACAS [1980] 158 – CA and [1978] 545 – EAT
Duport Steels and others v Sirs and others [1980] 116 – HL and [1980] 112 – CA
Durrant v Baker Oil Tools (UK) [1974] 290
Durrant v Clariston Clothing [1974] 360
Durrant v (1) North Yorkshire Area Health Authority and (2) Secretary of State for Social Services [1979] 401
Dutton v Hawker Siddeley Aviation Ltd [1978] 390
Dutton & Clark Ltd v Daly [1985] 363

E

Eagland v British Telecommunications plc [1990] 328
Earl v Slater & Wheeler (Airlyne) Ltd [1972] 115
Earl of Bradford v Jowett [1978] 16
East Hertfordshire District Council v Boyten [1977] 347
East Lindsey District Council v Daubney [1977] 181
Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] 83
Eaton Ltd v Nuttall [1977] 71
Edgell v Lloyd's Register of Shipping [1977] 463
Edmonds v Computer Services (South-West) Ltd [1977] 359
Edwards and others v Cardiff City Council [1979] 303
Egg Stores ,The (Stamford Hill) Ltd v Leibovici [1976] 376
Eke v Commissioners of Customs and Excise [1981] 344
Electrical & Engineering Staff Association v Ashwell Scott Ltd [1976] 319
Electricity Supply Union v Central Electricity Generating Board [1972] 60
Electrolux Ltd v Hutchinson and others [1976] 410 – EAT and [1976] 289 – IT
Electronic Data Processing Ltd v Wright [1986] 8
Elegbede v The Wellcome Foundation Ltd [1977] 383
Ellerker v Waudbys of Wetherby [1973] 195
Elliot v Richard Stump Ltd [1987] 215
Elliott v SOGAT [1983] 3
Elliott v Waldair (Construction) Ltd [1975] 104
Elliott Brothers (London) Ltd v Colverd [1979] 92
Ellis v Brighton Co-operative Society [1976] 419
Elsey v Smith (Procurator Fiscal) [1983] 292 – HC
Emmerson v Commissioners of Inland Revenue [1977] 458
Emmott v Minister for Social Welfare and another [1991] 387 – ECJ
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] 44
Enessy Co SA t/a The Tulchan Estate v Minoprio and another [1978] 489
Engineers' and Managers' Association v Advisory, Conciliation and Arbitration Service [1980] 164 – HL and [1979] 246 – CA
Equal Opportunities Commission v Robertson and others [1980] 44
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] 64 – NIHC
Esson v London Transport Executive [1975] 48
Etam plc v Rowan [1989] 150
Evans v Elemeta Holdings Ltd [1982] 143
Evans v George Galloway & Co [1974] 167
Evans and another v A B Electronic Components Ltd [1981] 111
Eveleigh v George C S Wilson [1973] 323
Evenden v Guildford City Association Football Club [1975] 213 – CA and [1974] 285 – NIRC
Evening Standard Co Ltd v Henderson [1987] 64 – CA
Examite Ltd (t/a Cleveland Crane Hire) v Whittaker and others [1977] 312 – CA
Express & Star Ltd v Bunday and others [1987] 422 – CA and [1986] 477
Express & Star Ltd and others v NGA (1982) and another [1986] 222 – CA and [1985] 455 – HC
Express Lift Co Ltd v Bowles [1977] 99
Express Newspapers and another v Keys and others [1980] 247 – HC
Express Newspapers plc and others v Mitchell and others [1982] 465 – HC
Expro Services Ltd v Smith [1991] 156

F

Fabar Construction Limited v Race and another [1979] 232
Faccenda Chicken Ltd v Fowler and others [1986] 69 – CA and [1984] 61 – HC
Fair Employment Agency v Craigavon Borough Council [1980] 316 – Northern Ireland CA
Falconer v ASLEF and NUR [1986] 331
Fanshaw v Robinsons & Sons Ltd [1975] 165
Farmeary v Veterinary Drug Co Ltd [1976] 322
Farnborough v Governors of Edinburgh College of Art [1974] 245
Farr v Hoveringham Gravels Ltd [1972] 104
Farthing v Midland Household Stores [1974] 354
Farthing and others v Ministry of Defence [1980] 402 – CA
Faust and others v Power Packing Casemakers Ltd [1983] 117 – CA
Fearn v Tayford Motor Co Ltd [1975] 336
Fentiman v Fluid Engineering Products Ltd [1991] 150
Fenton v Stablegold Ltd (t/a Chiswick Court Hotel) [1986] 64
Ferguson v John Dawson & Partners (Contractors) Ltd [1976] 346 – CA
Ferguson v Welsh and others [1988] 112 – HL
Ferodo Ltd v Barnes [1976] 302
Ferodo Ltd v Bradbury and another [1990] 95
Ferrie v Western No. 3 District Council, Glasgow [1973] 162
Fewell v B & B Plastics [1974] 154
Field v Leslie & Godwin Ltd [1972] 12
Field v Pirelli General Cable Works [1974] 230
Financial Techniques (Planning Services) Ltd v Hughes [1981] 32 – CA
Finch v Betabake (Anglia) Ltd [1977] 470
Finnegan v Clowney Youth Training Programme Ltd [1990] 299 – HL
Finnerty v Devro Ltd [1974] 175
Finnie v Top Hat Frozen Foods [1985] 365
Firestone Tyre & Rubber Co Ltd v Challoner [1977] 223
Fisher and others v York Trailer Co Ltd [1979] 386
Fishman v London Borough of Redbridge [1978] 69
Fitzpatrick v British Railways Board [1991] 376 – CA
Fitzpatrick v Hobourn Eaton [1973] 17
Flack and others v Kodak Ltd [1986] 255 – CA and [1985] 443
Fletcher v Clay Cross (Quarry Services) Ltd [1978] 361 – CA and [1977] 258 – EAT
Fletcher v Photo Precision [1973] 80
Flint v Eastern Electricity Board [1975] 277 – HC
Flude v The Post Office [1975] 330
Folan v Huddersfield Corporation [1974] 145
Foot v Eastern Counties Timber Co Ltd [1972] 83
Ford v Milthorn Toleman Ltd [1980] 30 – CA and [1978] 360 – EAT
Ford v Stakis Hotels & Inns Ltd [1988] 46
Ford v Warwickshire County Council [1983] 126 – HL and [1982] 246 – CA
Ford Motor Co Ltd v Hudson and others [1978] 66
Ford Motor Co Ltd v Nawaz [1987] 163
Foreningen af Arbejdsledere i Danmark v Daddy's Dance Hall A/S [1988] 315 – ECJ
Forester v Charcon Products [1974] 308
Forgings and Presswork Ltd v McDougall [1974] 243
Forman Construction v Kelly [1977] 468
Forsyth v Fry's Metals Ltd [1977] 243
Foster v South Glamorgan Health Authority [1988] 277
Foster and another v Brook Motors Ltd [1975] 191
Foster and others v British Gas plc [1991] 268 – HL, [1990] 353 – EC and [1988] 354 – CA
Foster Wheeler (London) Ltd v Jackson [1990] 412
Fougere v Phoenix Motor Co Ltd [1976] 259
Fowler v Cammell Laird (Shipbuilders) [1973] 72
Fox v Findus Ltd [1973] 8
Fox Brothers (Clothes) Ltd v Bryant [1978] 485
Fox Maintenance Ltd v Jackson [1977] 306 – EAT and [1977] 246 – IT
Frame v McKean & Graham [1974] 179
Francis and others v British Airways Engineering Overhaul Ltd [1982] 10
Frank Jones (Tipton) Ltd v Stock [1978] 87 – HL and [1977] 278 – CA
Frank Wright & Co (Holdings) Ltd v Punch [1980] 217
Freeman v Sovereign Chicken Ltd [1991] 408
Freemans plc v Flynn [1984] 486
Freud v Bentalls Ltd [1982] 443
Frost v Clarke & Smith Manufacturing Co Ltd and others [1973] 216
FTATU v Modgill and others [1980] 142
Fuller v Lloyds Bank plc [1991] 336
Fuller v Stephanie Bowman (Sales) Ltd [1977] 87
Futty v Brekkes (D & D) Ltd [1974] 130
Fyfe v Scientific Furnishings Ltd [1989] 331
Fyfe & McGrouther Ltd v Byrne [1977] 29

G

Gaelic Oil Co Ltd v Hamilton [1977] 27
Gair v Bevan Harris Ltd [1983] 368 – CS
Gale B G Ltd v Gilbert [1978] 453
Gallear v J F Watson & Son Ltd [1979] 306
Galloway v Export Packing Services Ltd [1975] 306
Galt (Procurator Fiscal) v Philp and others [1984] 156 – HC
Gannon and others v J C Firth Ltd [1976] 415
Gardiner v London Borough of Merton [1980] 472 – CA
Gardiner v Newport County Borough Council [1974] 262
Gardiner-Hill v Roland Berger Technics Ltd [1982] 498
Gardner v Peeks Retail Ltd [1975] 244
Gardner F C Ltd v Beresford [1978] 63
Gargrave v Hotel and Catering Industry Training Board [1974] 85
Garland v British Rail Engineering Ltd [1982] 111 – ECJ, [1982] 257 – HL, [1979] 244 – CA and [1978] 8 – EAT
Garner v Grange Furnishing Ltd [1977] 206
Garratt v Platt International [1974] 48
Garvey v J & J Maybank (Oldham) Ltd [1979] 408
Gascol Conversions v Mercer [1974] 155 – CA
Gateway Hotels Ltd v Stewart and others [1988] 287
Gayle v John Wilkinson & Sons (Saltley) Ltd and the TGWU [1977] 208
GEC Telecommunications Ltd v McAllister [1975] 346 – HC
General Aviation Services (UK) Ltd v TGWU [1976] 224 – HL and [1973] 355 – NIRC
General Engineering Services Ltd v Kingston and St Andrew Corporation [1989] 35 – PC
General Medical Council v Goba [1988] 425
General of the Salvation Army v Dewsbury [1984] 222
Genower v Ealing, Hammersmith and Hounslow AHA [1980] 297
George v Beecham Group Ltd [1977] 43
George M Whiley Ltd v Anderson and another [1976] 293
George Wimpey & Co Ltd v Cooper [1977] 205
Gibbons v Associated British Ports [1985] 376 – HC
Gibson and others v British Transport Docks Board [1982] 228
Gilbert (HM Inspector of Taxes) v Hemsley [1981] 501
Gilbert v I Goldstone Ltd [1976] 257
Gilbert v Kembridge Fibres Ltd [1984] 52
Gilham and others v Kent County Council [1986] 56, [1985] 16 – CA, [1985] 18 – CA and [1983] 353
Gill v Harold Andrews Sheepbridge [1974] 109
Gill and Coote v El Vinos Company Ltd [1983] 206 – CA

Gill and others v Cape Contracts Ltd [1985] 499 – NIHC
Gillanders v Riding Hall Carpets [1974] 327
Gillespie and another v Delaney Gallay [1973] 69
Gillies v Richard Daniels Co Ltd [1979] 457
GKN Sankey Ltd v National Society of Metal Mechanics [1980] 8
Glacier Metal Co v Dyer [1974] 189
Glitz v Watford Electric Co Ltd [1979] 89
Gloucestershire County Council v Spencer and others [1985] 59
GMWU v Wailes Dove Bitumastic Ltd [1977] 45
GMWU (MATSA) v British Uralite Ltd [1979] 409 and second decision [1979] 413
Goad v AUEW (Engineering Section) [1972] 88
Golden Cross Hire Co Ltd v Lovell [1979] 267
Goldsmith v RIBA Services [1974] 176
Goodbody v British Railways Board [1977] 84
Goode and Cooper v Thompson [1974] 111
Goodfellow and others v NATSOPA [1985] 3
Goodwin H Ltd v Fitzmaurice and others [1977] 393
Gordon v F Medhurst Ltd [1972] 47
Gorfin v Distressed Gentlefolks' Association [1973] 290
Gorictree Ltd v Jenkinson [1984] 391
Goring v British Actors' Equity Association [1987] 122 – HC
Gorman v London Computer Training Centre [1978] 22
Gothard v Mirror Group Newspapers Ltd [1988] 396 – CA
Grace v Harehills Working Men's Club and Institute [1974] 68
Grace v Sumlock Comptometer Ltd [1974] 141
Grace and another v Northgate Group Ltd [1972] 53
Graham v ABF Ltd [1986] 90
Graham v Anthony Todd (Haulage) Ltd [1975] 45
Graham v Glenrothes Time Switch Co [1975] 43
Graham Oxley Tool Steels Ltd v Firth [1980] 135
Grant v Ampex Great Britain Ltd [1980] 461
Grant v Shell Refining and Marketing UK Ltd [1975] 150
Gray v Brooke Marine [1973] 330
Gray v Shetland Norse Preserving Co Ltd [1985] 53
Gray Dunn & Co Ltd v Edwards [1980] 23
Grazebrook M & W v Wallens [1973] 139
Greater Glasgow Health Board v Carey [1987] 484
Greater Manchester Police Authority v Lea [1990] 372
Green v A & I Fraser (Wholesale Fish Merchants) Ltd [1985] 55
Green v Moyses Stevens Ltd [1974] 274
Green and others v Broxtowe District Council [1977] 34
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] 135
Greenall Whitley plc v Carr [1985] 289
Greenhalgh v Executors of James Mills [1973] 78
Greenslade v Hoveringham Gravels Ltd [1975] 114
Greenwich Health Authority v Skinner and another [1989] 238
Greer v Sketchley Ltd [1979] 445 – CA
Greg May (C F & C) Ltd v Dring [1990] 19
Gregory v Tudsbury Ltd [1982] 267
Grieg v (1) Community Industry and (2) Ahern [1979] 158
Greig v Sir Alfred MacAlpine and Son (Northern) Ltd [1979] 372
Grimaldi v Fonds des Maladies Professionnelles [1990] 400 – ECJ
Grimsby Carpet Co Ltd v Bedford [1987] 438
Grootcon (UK) Ltd v Keld [1984] 302
Grundy (Teddington) Ltd v Plummer and Salt [1983] 98
Grundy (Teddington) Ltd v Willis [1976] 118 – HC
Gubala v Crompton Parkinson Ltd [1977] 10
Gunton v London Borough of Richmond-upon-Thames [1980] 321 – CA
Guy v Delanair (Car Heater) Ltd [1975] 73
Gwent County Council v Lane [1977] 337

H

Habib v Elkington & Co Ltd [1981] 344
Hackwood v Benross Trading Co Ltd [1975] 2
Hackwood v Seal (Marine) Ltd [1973] 17
Hadden v University of Dundee Students' Association [1985] 449
Haden Ltd v Cowen [1982] 314 – CA
Hadjioannou v Coral Casinos Ltd [1981] 352
Hadmor Productions Ltd and others v Hamilton and another [1982] 102 – HL and [1981] 210 – CA
Hair Colour Consultants Ltd v Mena [1984] 386
Hallett and another v MAT Transport Ltd [1976] 5
Hamblin v London Borough of Ealing [1975] 354
Hamilton v Futura Floors Ltd [1990] 478 – CS
Hamilton v Western SMT Co Ltd [1977] 439 – CS
Hamish Armour (Receiver of Barry Staines Ltd) v Association of Scientific, Technical and Managerial Staffs [1979] 24
Hamlet v General, Municipal, Boilermakers and Allied Trades Union [1986] 293
Hammersmith & Queen Charlotte's Special Health Authority v Cato [1987] 483
Hammond v Haigh Castle & Co [1973] 91
Hammond-Scott v Elizabeth Arden Ltd [1976] 166
Hampson v Department of Education and Science [1990] 302 – HL, [1989] 69 – CA and [1988] 87
Hancill v Marcon Engineering Ltd [1990] 51
Hancock v British Road Services [1973] 42
Handels-og Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening (acting for Danfoss) [1989] 532 – ECJ
Handley v H Mono Ltd [1978] 534
Hanks v Ace High Productions Ltd [1979] 32
Hanlon v Allied Breweries UK Ltd [1975] 321
Hann and another v Crittall-Hope Ltd [1972] 102
Hannan v TNT-IPEC (UK) Ltd [1986] 165
Hanseatic Ship Management Ltd v International Transport Workers' Federation [1973] 282
Hanson v Fashion Industries (Hartlepool) Ltd [1980] 393
Harber v North London Polytechnic [1990] 198 – CA
Hardwick v Leeds Area Health Authority [1975] 319
Hare v Murphy Brothers [1974] 342 – CA
Harford v Swiftrim Ltd [1987] 360
Harman v Flexible Lamps Ltd [1980] 418
Harold Fielding Ltd v Mansi [1974] 79
Harper v National Coal Board [1980] 260
Harper v Redland Roof Tiles Ltd [1976] 208
Harrington v Kent County Council [1980] 353
Harris & Russell Ltd v Slingsby [1973] 221
Harris and Shepherd v Courage (Eastern) Ltd [1982] 509 – CA and [1981] 153 – EAT
Harris (Ipswich) Ltd v Harrison [1978] 382
Harrison (Newcastle-under-Lyme) Ltd v Ramsey (HM Inspector) [1976] 135
Hart v A R Marshall & Sons (Bulwell) Ltd [1977] 51
Harvard Securities plc v Younghusband [1990] 16
Harvey v Yankee Traveller Restaurant [1976] 35
Haseltine Lake & Co v Dowler [1981] 25
Hasley v Fair Employment Agency [1989] 106 – NICA
Haspell v Rostron & Johnston Ltd [1976] 50
Hassall v Fusion Welding & Construction (Birkenhead) Co Ltd [1979] 12
Hathaway v F W D Builders Merchants [1975] 108
Haughton v Olau Line (UK) Ltd [1986] 465 – CA
Hawker Siddeley Power Engineering Ltd v Rump [1979] 425
Hawkins v R B Prickett [1976] 52
Hawley v Fieldcastle & Co Ltd [1982] 223
Hayes v Malleable Working Men's Club and Institute [1985] 367
Hayward v Cammell Laird Shipbuilders Ltd [1988] 257 – HL, [1987] 186 – CA, [1986] 287 – EAT and [1984] 463 – IT
Hazells Offset Ltd v Luckett [1977] 430
Heasmans v Clarity Cleaning Co Ltd [1987] 286 – CA
Heath and another v J F Longman (Meat Salesman) Ltd [1973] 214
Heath Computing Ltd and another v Meek and others [1980] 437 – HC
Heathcote v North Western Electricity Board [1974] 34
Heatons Transport (St Helens) Ltd v Transport and General Workers' Union [1972] 25 – HL
Hebden v Forsey & Son [1977] 344
Hector Powe Ltd v Melon and others [1980] 477 – HL, [1980] 80 – CS and [1978] 258 – EAT
Hedger v Davy & Co [1974] 138
Hedges v Phillips & Drew [1975] 15
Help the Aged Housing Association (Scotland) Ltd v Vidler [1977] 104
Hemmings v International Computers Ltd [1976] 37
Hempell v W H Smith & Sons Ltd [1986] 95
Hemus v Robert Wilkes Ltd [1974] 75
Henderson v Granville Tours Ltd [1982] 494
Henderson v Masson Scott Thrissell Engineering [1974] 98
Hendry and another v Scottish Liberal Club [1977] 5
Hennessy v Craigmyle & Co Ltd and ACAS [1986] 300 – CA and [1985] 446
Henry v Ellerman City Liners Ltd [1984] 408 – CA
Henthorn and another v Central Electricity Generating Board [1980] 361 – CA
Hereford and Worcester County Council v Neale [1986] 168 – CA and [1985] 281
Hertz v Aldi Marked K/S (sub nom Handels-Og Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening) [1991] 31 – ECJ
Hewcastle Catering Ltd v Ahmed and another [1991] 473 – CA
Hewitson v Anderton Springs Ltd [1972] 56
HGS v Wilcox [1976] 222 – CA
Higgs & Hill Ltd v Singh [1976] 299 – EAT and [1976] 116 – IT
High v British Railways Board [1979] 52
Highlands and Islands Development Board v MacGillivray [1986] 210 – CS
Highlands Fabricators Ltd v McLaughlin [1984] 482
Hill R F Ltd v Mooney [1981] 258 – CA
Hillingdon Area Health Authority v Kauders [1979] 179
Hilti (GB) v Windridge [1974] 53
Hilton International Hotels (UK) Ltd v Protopapa [1990] 316
Himpfen and others v Allied Records Ltd [1978] 154
Hinckley and Bosworth Borough Council v Ainscough [1979] 224
Hindes v Supersine Ltd [1979] 343
Hindle Gears Ltd v McGinty and others [1984] 477
Hinton & Higgs (UK) Ltd v Murphy and another [1989] 519 – CS
HM Inspector of Factories v Austin Rover Group Ltd [1989] 404 – HL
Hodges and another v Probert and another [1976] 28 – HC
Holden v Bradville Ltd [1985] 483
Holder v D & J Plastics (Croydon) Ltd [1972] 43
Holliday Concrete (Testing) Ltd v Woods [1979] 301
Hollier v Plysu Ltd [1983] 260 – CA
Hollies v Principal Patterns & Engineering Co [1973] 165
Hollister v The National Farmers' Union [1979] 238 – CA and [1978] 161 – EAT
Holroyd v Gravure Cylinders Ltd [1984] 259
Home Counties Dairies Ltd v Woods [1976] 380
Home Delivery Services Ltd v Shackcloth [1984] 470
Home Office , The v Holmes [1984] 299
Home Office, The v (1) Robinson and (2) The Prison Officers' Association [1981] 524
Honeyford v City of Bradford Metropolitan Council and another [1986] 32 – CA
Honeyrose Products Ltd v Joslin [1981] 80
Hooper v British Railways Board [1988] 517 – CA
Hopkins v National Union of Seamen [1985] 157 – HC
Hopkins v Nicholas Products [1974] 336
Hopkinson v EP Publishing Ltd [1976] 99
Hopper v Feedex Ltd [1974] 99
Horcal Ltd v Gatland [1984] 288 – CA and [1983] 459 – HC
Horizon Holidays Ltd v ASTMS [1973] 22
Horizon Holidays Ltd v Grassi [1987] 371
Horsey v Dyfed County Council [1982] 395
Horsley Smith & Sherry Ltd v Dutton [1977] 172
Hotson v Wisbech Conservative Club [1984] 422
Hough and others v Leyland DAF Ltd [1991] 194
House of Clydesdale Ltd v Foy [1976] 391
Houston v G H Zeal Ltd [1972] 16
Houston v Lightwater Farms Ltd [1990] 469
How v Tesco Stores [1974] 194
Howard v Department of National Savings [1981] 40 – CA and [1979] 230 – EAT
Howard v National Graphical Association [1984] 489 and [1984] 250 – CA
Howarth Timber (Leeds) Ltd v Biscomb [1986] 52
Howe v Gloucester Co-operative Society [1979] 17
Howgate v Fane Acoustics Ltd [1981] 161
Howitt Transport Ltd v TGWU [1973] 25 and [1972] 93 – NIRC
Howle v GEC Power Engineering [1973] 339 – NIRC and [1973] 269 – IT
Howman and Sons v Blyth [1983] 139
Huddersfield Parcels Ltd v Sykes [1981] 115
Hudson v GMB [1990] 67 – HC
Hughes v Department of Health and Social Security [1985] 263 – HL and [1984] 360 – CA
Hughes v Gwynedd Area Health Authority [1977] 436
Hughes v Transport and General Workers' Union [1985] 382
Hughes and others v London Borough of Southwark [1988] 55 – HC
Hulse v Harry Perry t/a Arthur Perry & Sons [1975] 181
Hunt v British Railways Board [1979] 379
Hunt v J E Broome [1974] 26 – HL and [1973] 145 – HC
Hurley v Mustoe [1981] 208
Hussain v New Taplow Paper Mills Ltd [1988] 167 – HL
Hussein v Saints Complete House Furnishers [1979] 337
Hutchins v British Railways Board [1974] 303
Hutchinson v Enfield Rolling Mills Ltd [1981] 318
Hutchinson and others v Electrolux Ltd [1976] 410 – EAT and [1976] 289 – IT
Hutchison v Westward Television Ltd [1977] 69
Hyland v J H Barker (North-West) Ltd [1985] 403
Hynds v Spillers French Bakery [1974] 281

I

Iceland Frozen Foods Ltd v Jones [1982] 439
ICI Staff Association v ICI and others [1973] 247

Igbo v Johnson Matthey Chemicals Ltd [1986] 215 – CA and [1985] 189
Iggesund Converters Ltd v Lewis [1984] 431
ILEA v Gravett [1988] 497
Imperial Group Pension Trust Ltd and others v Imperial Tobacco Ltd and others [1991] 66 – HC
Imperial London Hotels v Cooper [1974] 199
Imperial Metal Industries (Kynoch) Ltd v (1) AUEW (TASS) and (2) N Singleton, P Turner, G L Dennis [1978] 407 – CA
In re a company's application [1989] 477 – HC
Industrial Rubber Products v Gillon [1977] 389
Ingram v Foxon [1985] 5
Inner London Education Authority v Lloyd [1981] 394 – CA
Inner London Education Authority v Nash [1979] 29
Institution of Professional Civil Servants and others v Secretary of State for Defence [1987] 373 – HC
"Integrity" v Rouvroy [1991] 176 – ECJ
International Aviation Services (UK) Ltd t/a IAS Cargo Airlines v Jones [1979] 155
International Computers Ltd v Kennedy [1981] 28
International Computers Ltd v Whitley [1978] 318
International Paint Co Ltd v Cameron [1979] 62
International Sports Co Ltd v Thomson [1980] 340
Irani v Southampton and South-West Hampshire Health Authority [1985] 203 – HC
Ironmonger v Movefield Ltd [1988] 461
Irvine v Prestcold Ltd [1981] 281 – CA
Irving and Irving v Post Office [1987] 289 – CA
Isle of Wight Tourist Board v Coombes [1976] 413
Isleworth Studios Ltd v Rickard [1988] 137 – CA
Ismond v Nelson Coin Automatics Ltd [1975] 173
ITT Components (Europe) Ltd v Kolah [1977] 53
Iwanuszezak v GMBATU [1988] 219 – CA

J

Jackson v E Bennett & Son [1973] 294
Jackson v Foster Wheeler (London) Ltd [1989] 283
Jackson v Fox Maintenance Ltd [1977] 306 – EAT and [1977] 246 – IT
Jackson v General Accident Fire & Life Assurance Co Ltd [1976] 338
Jakeman and others v South West Thames Regional Health Authority and London Ambulance Service [1990] 62 – HC
Jalota v Imperial Metal Industry (Kynoch) Ltd [1979] 313
James v Cory Distribution [1977] 248
James v Eastleigh Borough Council [1990] 288 – HL and [1989] 318 – CA
James v H G Bainbridge [1972] 52
James v Waltham Holy Cross UDC [1973] 202
James W Cook & Co (Wivenhoe) Ltd v Tipper and others [1990] 386 – CA
Jamieson v Aberdeen County Council [1975] 348 CS
Janata Bank v Ahmed [1981] 457 – CA
Janstorp International (UK) Ltd v Allen [1990] 417
Jean Sorelle v Rybak [1991] 153
Jeetle v Elster [1985] 227
Jeffrey v Laurence Scott and Electromotors Ltd [1977] 466
Jeffries v B P Tanker Co [1974] 260
Jenkins v Kingsgate (Clothing Productions) Ltd (No. 2) [1981] 388
Jenkins v Kingsgate (Clothing Productions) Ltd [1981] 228 ECJ and [1980] 6 – EAT
Jennings v Salford Community Service Agency [1981] 76
Jennings v Westwood Engineering Ltd [1975] 245
Jeremiah v Ministry of Defence [1979] 436 – CA
Jewell v Neptune Concrete Ltd [1975] 147
John Brignell & Co (Builders) v Bishop [1974] 157 – CA
John Crawford & Co (Plumbers) Ltd v Donnelly [1979] 9
John Fowler (Don Foundry) Ltd v Parkin [1975] 89 – HC
John Millar & Sons v Quinn [1974] 107
Johns and Bloomfield v Trust Houses Forte Ltd [1975] 36
Johnson v Firth (HM Inspector of Taxes) [1982] 25 – CA
Johnson v Tesco Stores Ltd [1976] 103
Johnson v Timber Tailors (Midlands) Ltd [1978] 146
Johnson & Bloy (Holdings) Ltd v Wolstenholme Rink plc and Fallon [1987] 499 – CA
Johnson and another v Nottinghamshire Combined Police Authority [1974] 20
Johnson Matthey Metals Ltd v Harding [1978] 248
Johnston v Chief Constable of the Royal Ulster Constabulary [1986] 263 – ECJ
Johnston v Muir & Atrill Ltd [1975] 360
Johnstone v Bloomsbury Health Authority [1991] 118 – CA
Joines v B & S (Burknall) Ltd [1977] 83
Jones v Associated Tunnelling Co Ltd [1981] 477
Jones v British Rail Hovercraft [1974] 279
Jones v Chief Adjudication Officer [1990] 533 – CA
Jones v GEC Elliott Automation Ltd [1972] 111
Jones v Lee and Guilding [1980] 67 – CA
Jones v Liverpool Corporation [1974] 55
Jones v London Co-operative Society Ltd [1975] 110
Jones v R M Douglas Construction Ltd [1975] 175
Joshua Wilson & Brothers Ltd v Union of Shop, Distributive & Allied Workers [1978] 120
Joyce v Diocese of St Albans Community Project [1985] 124 – CA
Judge International v Moss [1973] 208
Jury v Jones Stroud Co Ltd [1975] 56

K

Kallinos v London Electric Wire [1980] 11
Kavanagh v Hiscock [1974] 125 – HL and [1974] 121 – HC
Kearney & Trecker Marwin Ltd v Varndell and others [1983] 335 – CA
Keen v Dymo Ltd [1977] 118
Keepin v Hurn Brothers Ltd [1975] 141
Keir and Williams v Hereford and Worcester County Council [1985] 505 – CA
Kelly v Liverpool Maritime Terminals Ltd [1988] 310 – CA
Kelly v Shulman [1988] 478 – HC
Kelly v Upholstery & Cabinet Works (Amesbury) Ltd [1977] 91
Kelman v G J Oram [1983] 432
Kemp v Robin Knitwear [1974] 69
Kemp v Shipton Automation Ltd [1976] 305
Kendrick v Aerduct Productions [1974] 322
Kendrick v Concrete Pumping Ltd [1975] 83
Kennard v Brighton Streamline Taxi-Cab Co and TGWU [1973] 218
Kenneth MacRae & Co Ltd v Dawson [1984] 5
Kent Free Press v NGA [1987] 267 – HC
Kenyon v Fred Miller Ltd [1972] 59
Kerr v Atkinson Vehicles (Scotland) [1974] 36
Kerr v Lister & Co Ltd [1977] 259
Keys v Shoefayre Ltd [1978] 476
Keywest Club Ltd v Choudhury and others [1988] 51
Khanna v Ministry of Defence [1981] 331
Khanum v Mid-Glamorgan AHA [1978] 215
Kidd v DRG (UK) Ltd [1985] 190
King v The Great Britain-China Centre [1991] 513 – CA
King v Motorway Tyres & Accessories Ltd [1975] 51
King v The Post Office and UPW [1973] 55
King v Webb's Poultry Products (Bradford) [1975] 135
Kingston v British Railways Board [1984] 146 – CA and [1982] 274
Kingston & Richmond Area Health Authority v Kaur [1981] 337
Kinzley v Minories Finance Ltd [1987] 490 – EAT
Kirby v Manpower Services Commission [1980] 229
Kirkham v National Society of Operative Printers, Graphical and Media Personnel [1981] 244
Knighton v Henry Rhodes Ltd [1974] 71
Knox v Down District Council [1981] 452 – NICA
Kolatsis v Rockware Glass [1974] 240
Kolfor Plant Ltd v Wright [1982] 311
Koppel v Guardian Royal Exchange [1974] 37
Kournavous v J R Masterton & Sons (Demolition) Ltd [1990] 119
Kowalska v Freie und Hansestadt Hamburg [1990] 447 – EC
Kraft Foods Ltd v Fox [1977] 431
Kunz Engineering Ltd v Santi [1979] 459
Kykot v Smith Hartley Ltd [1975] 372 – HC
Kyte v Greater London Council [1974] 8

L

Ladbroke Courage Holidays Ltd v Asten [1981] 59
Ladbroke Racing Ltd v Arnott and others [1983] 154 – CS and [1979] 192 – EAT
Ladbroke Racing Ltd v Hickey [1979] 273
Ladup Ltd v Barnes [1982] 7
Lafferty Construction Ltd v Duthie [1985] 487
Laffin and another v Fashion Industries (Hartlepool) Ltd [1978] 448
Lake v Essex County Council [1979] 241 – CA and [1978] 24 – EAT
Lambsdale v Her Majesty's Stationery Office [1975] 239
Lamont v Fry's Metals Ltd [1985] 470 – CA and [1983] 434
Lancaster v Anchor Hotels & Taverns [1973] 13
Land and another v West Yorkshire Metropolitan County Council [1981] 87 – CA and [1979] 174 – EAT
Landsorganisationen i Danmark v Ny Molle Kro [1989] 37 – ECJ
Langston v AUEW and Chrysler (UK) [1974] 15 – CA and [1974] 182, [1973] 82 – NIRC
Lansing Linde Ltd v Kerr [1991] 80 – CA
Lanton Leisure Ltd v White and Gibson [1987] 119
Larsen v Hendersen [1990] 512 – CS
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] 245
Lavery v Plessey Telecommunications Ltd [1983] 202 – CA and [1982] 180
Lawrence v The Council of the London Borough of Newham [1977] 396
Lawrence David Ltd v Ashton [1989] 22 – CA
Laws v Keane [1982] 500 – HC Scotland
Laws Stores Ltd v Oliphant [1978] 251
Lawson and others v Britfish Ltd [1988] 53
Lawton v BOC Transhield [1987] 404 – HC
Leach v Berger, Jensen & Nicholson Ltd [1972] 58
Lee v (1) Chung and (2) Shun Shing Construction & Engineering Co Ltd [1990] 236 – PC
Lee v Nottinghamshire County Council [1980] 284 – CA and [1979] 294 – EAT
Leech v Preston Borough Council [1985] 337
Leeman v Johnson Gibbons (Tools) Ltd [1976] 11
Lees v Arthur Greaves (Lees) Ltd [1974] 93 – CA and [1973] 59 – NIRC
Lees v The Orchard [1978] 20
Lenahan v UCATT [1991] 78 – HC
Leonard v Fergus & Haynes Civil Engineering Ltd [1979] 235 – CS
Les Ambassadeurs Club v Bainda [1982] 5
Lesney Products & Co Ltd v Nolan and others [1977] 77 – CA
Lethaby v Horsman Andrew & Knill Ltd [1975] 119
Leverton v Clwyd County Council [1989] 28 – HL, [1988] 239 – CA and [1985] 197
Lewis v John Adamson & Co Ltd [1982] 233
Lewis v Motorworld Garages Ltd [1985] 465 – CA
Lewis v Surrey County Council [1987] 509 – HL and [1986] 455 – CA and [1986] 11
Lewis Shops Group v Wiggins [1973] 205 – NIRC and [1973] 114 – IT
Leyland Vehicles Ltd v Jones [1981] 269
Leyland Vehicles Ltd v Reston [1981] 19
Lifeguard Assurance Ltd v Zadrozny and another [1977] 56
Lignacite Products Ltd v Krollman [1979] 22
Lilley Construction Ltd v Dunn [1984] 483
Lindsay v Dunlop Ltd [1980] 93
Lindsay v Fife Forge Co Ltd [1976] 47
Linfood Cash & Carry Ltd v Thomson and another [1989] 235
Links A & Co Ltd v Rose [1991] 353 – CS
Lipton L Ltd v Marlborough [1979] 179
Litster v Fram Gerrard Ltd [1973] 302
Litster v M Thom & Sons Ltd [1975] 47
Litster and others v Forth Dry Dock & Engineering Co Ltd and another [1989] 161 – HL, [1988] 289 – CS and [1986] 59
Little v Charterhouse Magna Assurance Co Ltd [1980] 19
Littlewoods Organisation Ltd v Egenti [1976] 334
Liverpool AHA (Teaching) Central & Southern District v Edwards [1977] 471
Lloyd v Scottish CWS [1973] 93 – NIRC and [1973] 45 – IT
Lloyd v The Standard Pulverised Fuel Co Ltd [1976] 115
Lloyds Bank Ltd v Secretary of State for Employment [1979] 41
Lloyds Bank plc v Fox and others [1989] 103
Lock International plc v Beswick and others [1989] 481 – HC
Logabax Ltd v Titherley [1977] 97
Logan Salton v Durham County Council [1989] 99
Lomax v Ladbroke Racing Ltd [1975] 363
London v James Laidlaw & Sons [1974] 136
London Borough of Barking & Dagenham v Camara [1988] 373
London Borough of Barnet v Nothman [1979] 35 – HL, [1977] 489 – CA and [1977] 398 – EAT
London Borough of Camden v Pedersen [1981] IRLR 173 – CA and [1979] 377 – EAT
London Borough of Hillingdon v Commission for Racial Equality [1982] 424 – HL
London Borough of Lambeth v Commission for Racial Equality [1990] 231 – CA and [1989] 379
London Borough of Merton v Gardiner [1980] 302
London Borough of Newham v Ward [1985] 509 – CA
London Borough of Redbridge v Fishman [1978] 69
London Transport Executive v Clarke [1981] 166 – CA
London Underground Ltd v NUR [1989] 341 and 343 – HC
Longley v National Union of Journalists and others [1987] 109 – CA
Loosley v NUT [1988] 157 – CA
Lord Advocate v De Rosa and John Barrie (Contractor) [1974] 215 – HL
Lorenz v Liskeard Engineering [1974] 365
Lothian Health Board v Johnstone [1981] 321
Lotus Cars Ltd v Sutcliffe and another [1982] 381 – CA
Louies v Coventry Hood & Seating Co Ltd [1990] 324
Lowndes v Specialist Heavy Engineering Ltd [1976]

246
Lowson v Percy Main & District Social Club & Institute Ltd [1979] 227
Lucas v Norton of London Ltd [1984] 86
Lucas and others v Laurence Scott Electromotors Ltd [1983] 61
Luce v London Borough of Bexley [1990] 422
Luckings v May and Baker Ltd [1974] 151
Lumb v Charcon Pipes Ltd [1972] 73
Lynock v Cereal Packaging Ltd [1988] 510
Lyon v St James Press Ltd [1976] 215

M

McAree v GKN Sankey Ltd [1976] 58 – HC
McAulay v Cementation Chemicals Ltd [1972] 71
McAuley and others v Eastern Health and Social Services Board [1991] 467 – NICA
McCabe v Chicpak Ltd [1976] 38
McCabe v Ninth District Council of the County of Lanark [1973] 75
McCall v Castleton Crafts [1979] 218
McCarthy v APEX [1979] 255
McCarthy v Association of Professional Executive, Clerical and Computer Staffs [1980] 335
McCarthy v British Insulated Callenders Cables plc [1985] 94
McColm v Agnew & Lithgow Ltd [1976] 14
McConnell v Bolik [1979] 422
McConvey v British Steel Corporation [1974] 196
McCormack v Shell Chemicals UK Ltd [1979] 40
McCormick v Horsepower Ltd [1981] 217 – CA and [1980] 182 – EAT
McCrea v Cullen & Davison Ltd [1988] 30 – NICA
McCrory v Magee t/a Heatwell Heating Systems [1983] 414 – NICA
McDermid v Nash Dredging and Reclamation Co Ltd [1987] 334 – HL and [1986] 308 – CA
McDonald v Applied Art Glass Co Ltd [1976] 130
McDowell and others v Eastern British Road Services Ltd [1981] 482
McFadden v Greater Glasgow Passenger Transport Executive [1977] 327
McFall, G & Co Ltd v Curran [1981] 455 – NICA
McGhee v Midland British Road Services Ltd; McGhee v Transport & General Workers' Union [1985] 198
McGibbon v Gillespie Building Co [1973] 105
McGoldrick v London Borough of Brent [1987] 67 – CA
McGovern v British Steel Corporation [1986] 411 – CA
McGrath v Rank Leisure Ltd [1985] 323
McIntosh v Molins Ltd [1973] 269
McKechnie v UBM Building Supplies (Southern) Ltd [1991] 283
McKenzie D & J Ltd v Smith [1976] 345 – CS
McKenzie v Crosville Motor Services Ltd [1989] 516
McKindley v William Hill (Scotland) Ltd [1985] 492
McKinney J C v Bieganek [1973] 311
McKnight v Adlestones (Jewellers) Ltd [1984] 453 – NICA
McLaren v The Home Office [1990] 338 – CA
McLaren v National Coal Board [1988] 215 – CA
McLean v Paris Travel Service Ltd [1976] 202
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] 232 – CA
McLoughlin v Gordons (Stockport) Ltd t/a Gordon Ford of Wigan [1978] 127
McNally v Welltrade International Ltd [1978] 497 – HC
McNamara v National Coal Board [1972] 69
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] 179
McPhail W A v Gibson [1976] 254
McPhee v George H Wright Ltd [1975] 132
McPherson v Rathgael Centre and Northern Ireland Office [1991] 206 – NICA
McPhie and another v Wimpey Waste Management Ltd [1981] 316
McQuade v Scotbeef Ltd [1975] 332
McShane v L Rifkin (Liverpool) Ltd [1972] 51
Macarthys Ltd v Smith (No. 2) [1980] 209 – CA
Macarthys Ltd v Smith [1980] 210 – ECJ [1979] 316 – CA and [1978] 10 – EAT
MacDonald v S Cambridgeshire RDC [1973] 308
Macer v Abafast Ltd [1990] 137
Machine Tool Industry Research Association v Simpson [1988] 212 – CA
Mackay v Peter Pan Playthings [1973] 232
Mackay v Robert Morton Temple Bakery [1975] 57
MacKellar v Bolton [1979] 59
Mackie v John Holt Vintners Ltd [1982] 236
MacNeilage v Arthur Roye (Turf Accountants) Ltd [1976] 88
MacPherson v London Borough of Lambeth [1988] 470 – HC
MacShane and Ashton v Express Newspapers [1980] 35 – HL and [1979] 79 – CA
Mabirizi v Hospital for Nervous Diseases [1990] 133
Maidment and another v Cooper & Co (Birmingham) Ltd [1978] 462
Mailway (Southern) Ltd v Willsher [1978] 322
Maintenance Co Ltd v Dormer [1982] 491
Managers (Holborn) Ltd v Hohne [1977] 230
Mandla and another v Lee and others [1983] 209 – HL and [1983] 17 – CA
Manifold Industries Ltd v Sims and others [1991] 242
Manpower Ltd v Hearne [1983] 281
Mansfield Hosiery Mills Ltd v Bromley [1977] 301
Marchant v Earley Town Council [1979] 311
Marcus v George Wimpey [1974] 356
Marcusfield A & B Ltd v Melhuish [1977] 484
Marden and others v Fairey Stainless Ltd [1979] 103
Marder v ITT Distributors Ltd [1976] 105
Marina Shipping Ltd v Laughton and Shaw [1982] 20 – CA
Maris v Rotherham County Borough Council [1974] 147
Marley v Forward Trust Group Ltd [1986] 369 – CA and [1986] 43
Marley Homecare Ltd v Dutton [1981] 380
Marley Tile Co Ltd v Johnson [1982] 75 – CA
Marley Tile Co Ltd v Shaw [1980] 25 – CA and [1978] 238 – EAT
Marshall v Alexander Sloane & Co Ltd [1981] 264
Marshall v Harland & Wolff Ltd [1972] 90
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] 140 – ECJ, [1983] 237
Marshal v Southampton and South-West Hampshire Area Health Authority (Teaching) (No. 2) [1990] 481 – CA, [1989] 459 – EAT and [1988] 325 – IT
Martin v B S C Footwear (Supplies) Ltd [1978] 95
Martin v British Railways Board [1989] 198
Martin v MBS Fastenings (Glynwed) Distribution Ltd [1983] 198 – CA
Martin v Solus Schall [1979] 7
Martin v Yeomen Aggregates Ltd [1983] 49
Martin v Yorkshire Imperial Metals Ltd [1978] 440
Martin and others v Automobile Proprietary Ltd [1979] 64
Mason v The Post Office [1973] 51
Mason v Royal Holloway College [1974] 42
Mason v (1) Wimpey Waste Management Ltd and (2) Secretary of State for Employment [1982] 454
Massey v Crown Life Insurance Company [1978] 31 – CA
Mathewson v R B Wilson Dental Laboratory Ltd [1988] 512
Mathieson v Noble & Son Ltd [1972] 76
Maughan v NE London Magistrates' Court Committee [1985] 367
Maund v Penwith District Council [1984] 24 – CA and [1982] 399
Mawson v Leadgate Engineering Ltd [1972] 105
Maxwell v Grimwood Heating Elements [1972] 81
Maxwell v Walter Howard Designs Ltd [1975] 77
Mayhew v Anderson (Stoke Newington) Ltd [1978] 101
Mazurek v California Dress Co [1974] 268
MBS Ltd v Calo [1983] 189
MDH Ltd v Sussex [1986] 123
Meadows v Faithful Overalls Ltd [1977] 330
Mears v Safecar Security Ltd [1982] 183 – CA and [1981] 99 – EAT
Medallion Holidays Ltd v Birch [1985] 406
Medhurst v Dental Estimates Board Branch of NALGO and NALGO [1990] 459
Meek v (1) J Allen Rubber Co and (2) Secretary of State for Employment [1980] 21
Meek v City of Birmingham District Council [1987] 250 – CA
Meeks v National Union of Agricultural and Allied Workers [1976] 198
Meer v London Borough of Tower Hamlets [1988] 399
Megennis v Stephen Austin & Sons [1974] 357
Meikle v McPhail (Charleston Arms) [1983] 351
Melon and others v Hector Powe Ltd [1980] 477 – HL [1980] 80 – CS and [1978] 258 – EAT
Menzies v Smith & McLaurin Ltd [1980] 180
Mercia Rubber Mouldings v Lingwood [1974] 82
Mercury Communications Ltd v Scott-Garner and Post Office Engineering Union [1983] 494 – CA and [1983] 485 – HC
Meridian Ltd v Gomersall and Gomersall [1977] 425
Merkur Island Shipping Corporation v Laughton and others [1983] 218 – HL and [1983] 26 – CA
Mersey Dock & Harbour Co v Verrinder and others [1982] 152 – HC
Merseyside & North Wales Electricity Board v Taylor [1975] 60 – HC
Merseyside County Council v Bullock [1979] 33 – CA
Messenger Newspapers Group Ltd v National Graphical Association (1982) [1984] 397 – HC
Methven and another v Cow Industrial Polymers Ltd [1980] 289 – CA and [1979] 276 – EAT
Metropolitan Borough of Solihull v National Union of Teachers [1985] 211 – HC
Meyer Dunmore International Ltd v Rogers [1978] 167
Micklefield v SAC Technology Ltd [1990] 218 – HC
Middlemass v Greenwood & Batley Ltd [1972] 3
Midland Electric Manufacturing Co Ltd v Kanji [1980] 185
Midland Foot Comfort Centre v Richmond and Secretary of State for Employment [1973] 141
Midland Plastics v Till and others [1983] 9
Mihlenstedt v Barclays Bank International Ltd and another [1989] 522 – CA
Miles v Wakefield Metropolitan District Council [1987] 193 – HL and [1985] 108 – CA
Milestone School of English Ltd v Leakey [1982] 3
Millbrook Furnishing Industries Ltd v McIntosh and others [1981] 309
Miller v Executors of J C Graham [1978] 309
Miller v Hamworthy Engineering Ltd [1986] 461 – CA
Miller v S T H Rafique [1975] 70
Miller and others v Harry Thornton (Lollies) Ltd [1978] 430
Millington v T H Goodwin & Sons [1974] 379 – HC
Milsom v Leicestershire County Council [1978] 433
Milthorn Toleman Ltd v Ford [1980] 30 – CA and [1978] 306 – EAT
Mining Supplies (Longwall) Ltd v Baker [1988] 417
Ministry of Defence v (1) Crook and (2) Irving [1982] 488 and [1982] 43
Ministry of Defence v Fair Employment Agency for Northern Ireland [1988] 151
Ministry of Defence v Jeremiah [1979] 436 – CA and [1978] 402 – EAT
Mirror Group Newspapers Ltd v Gunning [1986] 27 – CA and [1985] 60
Mirza v Ford Motor Company [1981] 544 – CA
Mitchell v British Legion Club [1980] 425
Mitchell v The Old Hall Exchange and Palatine Club Ltd [1978] 160
Mitsubishi Bank v NUBE [1973] 370 – CA and [1973] 367 – NIRC
Moberly v Commonwealth Hall (University of London) [1977] 176
Modern Injection Moulds Ltd v Price [1976] 172
Moeliker v A Reyrolle & Co Ltd [1976] 120 – CA
Moncrieff D G (Farmers) v MacDonald [1978] 112
Moncur v International Paint Co Ltd [1978] 223
Monie v Coral Racing Ltd [1980] 464 – CA and [1979] 54 – EAT
Monk A & Co Staff Association v (1) Certification Officer and (2) ASTMS [1980] 431
Mono Pumps Ltd v Froggatt and Radford [1987] 368
Monsanto plc v Transport & General Workers' Union [1986] 406 – CA
Monterosso Shipping Co Ltd v International Transport Workers' Federation [1982] 468 – CA
Moody v Telefusion Ltd [1978] 311
Moon and others v Homeworthy Furniture (Northern) Ltd [1976] 298
Mooney v Rowntree Mackintosh [1974] 277
Moore v Aluminium Platers (Leeds) Ltd [1976] 23 – HC
Moore v C & A Modes [1981] 71
Moore v CEGB (Midland Region) [1974] 296
Moore v Duport Furniture Products Ltd and others [1982] 31 – HL, [1980] 158 – CA and [1978] 545 – EAT
Moore v Rowland Winn (Batley) Ltd [1975] 162
Mordecai v Jacob Beatus Ltd [1975] 170
Moreton v Selby Protective Clothing [1974] 269
Morgan v Electrolux Ltd [1991] 89 – CA
Morganite Electrical Carbon Ltd v Donne [1987] 363
Morley's of Brixton Ltd v Minott [1982] 270
Morris v Gestetner Ltd [1973] 313 – NIRC and [1973] 226 – IT
Morris v London Iron and Steel Co Ltd [1987] 182 – CA
Morris v Scott & Knowles [1976] 238
Morris v Secretary of State for Employment [1985] 297
Morrish v Henlys (Folkestone) Ltd [1973] 61
Morrison v Amalgamated Transport & General Workers' Union [1989] 361 – NICA
Morrison v The Marquess of Exeter [1973] 74
Morrow v Scottish Special Housing Association [1973] 40
Morton v Chief Adjudication Officer [1988] 444 – CA
Moss and others v McLachlan [1985] 76 – HC
Mowlem Northern Ltd v Watson [1990] 500
Moyes v Hylton Castle Working Men's Social Club and Institute [1986] 482
Mucci v Imperial College of Science & Technology [1973] 130
Muffett S H Ltd v Head [1986] 488
Muggridge and another v East Anglia Plastics [1973] 162

Munir and another v Jang Publications Ltd [1989] 224 – CA
Murco Petroleum Ltd v Forge [1987] 50
Murphy v A Birrell & Sons Ltd [1978] 458
Murphy v Epsom College [1984] 271 – CA and [1983] 395
Murphy and others v Bord Telecom Eireann [1988] 267 – ECJ
Murphy Telecommunications Systems v Henderson and another [1974] 51
Murray v British Rail [1976] 382
Murray MacKinnon v Forno [1983] 7

N

NAAFI v Varley [1976] 408
Nairne v Highland & Islands Fire Brigade [1989] 366 – CS
NALGO v Killorn and Simm [1990] 464
Namyslo v Secretary of State for Employment (Review) [1979] 450 and [1979] 333
Nasse v Science Research Council [1979] 465 – HL, [1978] 352 – CA and [1978] 201 – EAT
National Coal Board v Cheesbrough and Secretary of State for Employment [1988] 351 – CA and [1988] 84
National Coal Board v National Union of Mineworkers and others [1986] 439 – HC
National Coal Board v Sherwin and another [1978] 122
National Employers Life Assurance Co Ltd v ACAS and ASTMS [1979] 282 – HC
National Graphical Association v Howard [1983] 440, [1983] 442 and [1983] 445
National Heart and Chest Hospitals Board of Governors v Nambiar [1981] 196
National Society of Metal Mechanics v Gascoigne Gush & Dent Ltd [1976] 278
National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] 70
National Union of Gold, Silver & Allied Trades v Albury Bros Ltd [1978] 504 – CA and [1977] 173 – EAT
National Union of Tailors & Garment Workers v Charles Ingram & Co Ltd [1977] 147
National Union of Teachers v Avon County Council [1978] 55
National Vulcan Engineering Insurance Group Ltd v Wade [1978] 225 – CA and [1977] 109 – EAT
Naylor and others v Orton & Smith Ltd and M D Tweddell Engineering Ltd [1983] 233
Neale and others v Ford Motor Co Ltd [1984] 339
Neefjes v Crystal Products Co Ltd [1974] 63 – CA and [1972] 118 – NIRC
Nelson v British Broadcasting Corporation [1977] 148 – CA
Nelson v British Broadcasting Corporation (No. 2) [1979] 346 – CA
(1) Nelson and (2) Woollett v Post Office [1978] 548
Nensi v Vinola (Knitwear) Manufacturing Co [1978] 297
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] 240 – CA and [1983] 103
New Centurion Trust v Welch and another [1990] 123
New York City Employees' Retirement System v American Brands Inc [1986] 239 – US District Court
Newalls Insulation Co Ltd v Blakeman [1976] 303
Newland v Simons & Willer (Hairdressers) Ltd [1981] 359
Newlands v J Howard & Co Ltd [1973] 9
Newlin Oil Co v Trafford [1974] 205
Newman v Alarmco Ltd [1976] 45
Newman v T H White Motors Ltd [1972] 49
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] 337 – HC and [1986] 227 – CA
Newstead v Department of Transport and HM Treasury [1988] 66 – ECJ and [1985] 299
Nico Manufacturing Co Ltd v Hendry [1975] 225
Nicoll v Nocorrode Ltd [1981] 163
Nimz v Freie und Hansestadt Hamburg [1991] 222 – ECJ
Nixon and others v Delaney Galley and another [1973] 69
Noble and others v David Gold and Son (Holdings) Ltd [1980] 252 – CA
Noone v North West Thames Regional Health Authority [1988] 195 – CA, [1987] 357 and No. 2 [1988] 530 – CA
Norbrook Laboratories Ltd v (1) King and (2) Sands [1984] 200 – NICA and [1982] 456 – NIHC
Norfolk County Council v Bernard [1979] 220
Norgett v Luton Industrial Co-operative Society Ltd [1976] 306
Normanton v Southalls (Birmingham) Ltd [1975] 74
Norris v Southampton City Council [1982] 141
North and others v Pavleigh Ltd [1977] 461
North East Coast Shiprepairers Ltd v Secretary of State for Employment [1978] 149
North East Midlands Co-operative Society Ltd v Allen [1977] 212
North Yorkshire County Council v Fay [1985] 247 – CA
Norton v Chemidus Wavin Ltd [1975] 294
Norton Tool Co Ltd v Tewson [1972] 86
Norwest Holst Group Administration Ltd v Harrison [1985] 240 – CA and [1984] 419
Notcutt v Universal Equipment Co (London) Ltd [1986] 218 – CA
Nothman v London Borough of Barnet (No. 2) [1980] 65 – CA
Nothman v London Borough of Barnet [1979] 35 – HL, [1977] 489 – CA and [1977] 398 – EAT
Nottinghamshire County Council v Bowly [1978] 252
Nottinghamshire County Council v Lee [1980] 284 – CA and [1979] 294 – EAT
Nova Plastics Ltd v Froggatt [1982] 146
Nu-Swift International Ltd v Mallinson [1978] 537
NUBE v Anglia Building Society [1973] 301
NUBE v Barclays Bank International and Barclays Bank Staff Association [1973] 88
NUBE v Coventry Economic Building Society and Coventry Economic Building Society Staff Association [1973] 30
NUBE v Mitsubishi Bank [1973] 370 – CA and [1973] 367 – NIRC
NUPE v General Cleaning Contractors [1976] 362
NUPE and COHSE's Application, Re [1989] 202 – NIHC
Nurse v Morganite Crucible Ltd [1989] 88 – HL
NWL Ltd v Nelson and another [1979] 478 – HL and [1979] 321 – CA
NWL Ltd v Woods [1979] 478 – HL

O

O'Brien v Boots Pure Drug Co [1973] 261
O'Brien v Fram Gerrard Ltd [1973] 94
O'Brien v International Harvester [1974] 374
O'Brien v The Prudential Assurance Co Ltd [1979] 140
O'Brien and others v Sim-Chem Ltd [1980] 373 – HL, [1980] 151 – CA and [1978] 398 – EAT
O'Connor v MacPherson Bros [1974] 306
O'Farrell and another v National Dock Labour Board [1974] 43
O'Hagan v Firestone Tyre and Rubber Co [1974] 226
O'Hara v Fram Gerrard Ltd [1973] 95
O'Hare and another v Rotaprint Ltd [1980] 47
O'Keefe v Southampton City Council [1988] 424
O'Kelly and others v Trusthouse Forte plc [1983] 369 – CA
O'Laoire v Jackel International Ltd [1991] 170 – CA
O'Laoire v Jackel International Ltd [1990] 70 – CA
O'Loughlin and others v Fitzpatrick & Son (Contractors) Ltd [1976] 39
O'Reilly v Welwyn & Hatfield District Council [1975] 334
Oakley v Labour Party [1988] 34 – CA and [1987] 79
Octavius Atkinson & Sons Ltd v Morris [1989] 158 – CA
Office Angels Ltd v Rainer-Thomas and O'Connor [1991] 214 – CA
Ojutiku and Oburoni v Manpower Services Commission [1982] 418 – CA
Okereke v The Post Office [1974] 170
Oliver v Hargreaves Transport Ltd [1972] 7
Oliver v J P Malnick & Co [1983] 456
Oliver v Sperry Vickers [1975] 358
Open University v Triesman [1978] 114
Opie v John Gubbins (Insurance Brokers) Ltd [1978] 540
Ord v Maidstone and District Hospital Management Committee [1974] 80
Orphanos v Queen Mary College [1985] 349 – HL
Orr v Vaughan [1981] 63
Osborne v Bill Taylor of Huyton Ltd [1982] 17 – HC
Otterburn Mill v Bulman [1975] 223
Outlook Supplies Ltd v Parry [1978] 12
Owen and another v Crown House Engineering [1973] 233
Owen & Briggs v James [1982] 502 – CA and [1981] 133 – EAT
Owens v Multilux Ltd [1974] 113
Oxford v Department of Health and Social Security [1977] 225
Oxley and others v Tarmac Roadstone Holdings Ltd [1975] 100

P

P & O European Ferries (Dover) Ltd v Byrne [1989] 254 – CA
Pagano v HGS [1976] 9
Page v East Midlands Electricity Board [1975] 21
Page v Freight Hire (Tank Haulage) Ltd [1981] 13
Paine and another v Grundy (Teddington) Ltd [1981] 267
Palmanor Ltd (t/a Chaplins Night Club) v Cedron [1978] 303
Palmer and Saunders v Southend-on-Sea Borough Council [1984] 119 – CA
Panesar v The Nestlé Co Ltd [1980] 64 – CA and [1980] 60 – EAT
Pape v Cumbria County Council [1991] 463 – HC
Papparis v Charles Fulton & Co Ltd [1981] 104
Parker v Clifford Dunn Ltd [1979] 56
Parker & Farr Ltd v Shelvey [1979] 434
Parkers Bakeries Ltd v Palmer [1977] 215
Parkin v Association of Scientific, Technical and Managerial Staffs [1980] 188 – HC
Parr v Whitbread plc [1990] 39
Parrott v Yorkshire Electricity Board [1972] 75
Parsons v Cornwall County Fire Brigade [1974] 5
Parsons C A & Co Ltd v McLoughlin [1978] 65
Partington v National and Local Government Officers' Association [1981] 533 – CS
Pascoe v Hallen & Medway [1975] 116
Paterson v Barratt Developments (Aberdeen) Ltd [1977] 214
Paton Calvert & Co Ltd v Westerside [1979] 108
Patterson v Messrs Bracketts [1977] 137
Paul v National and Local Government Officers' Association [1987] 43 – CO
Paul and Fraser v NALGO [1987] 413 – HC
Paviour and another v Whitton's Transport (Cullompton) Ltd [1975] 258
Payne v Secretary of State for Employment [1989] 352 – CA
Payne v Spook Erection Ltd [1984] 219
PBDS (National Carriers) Ltd v Filkins [1979] 356 – CA
Peake v Automotive Products Ltd [1977] 365 – CA and [1977] 105 – EAT
Pearman v J I Case Co [1974] 309
Pearse v City of Bradford Metropolitan Council [1988] 379 – HC
Pearson v Williames Transport (Scotland) Ltd [1976] 43
Pedersen v The Mayor and Burgesses of the London Borough of Camden [1981] 173 – CA and [1979] 377 – EAT
Pel Ltd v Modgill and others [1980] 142
Pename Ltd v Paterson [1989] 195
Pengilly v The North Devon Farmers [1973] 41
Penprase v Mander Brothers [1973] 167
Penrose v Fairey Surveys Ltd [1973] 28
Pepper v Hart and others [1991] 125 – CA
Pepper and Hope v Daish [1980] 13
Perera v Civil Service Commission and Department of Customs and Excise [1983] 166 – CA and [1982] 147, [1980] 233 – EAT
Perks v Geest Industries [1974] 228
Perrons v Spackman (HM Inspector of Taxes) [1981] 497 - CA
Peskett v Robinsons (Woking) Ltd [1976] 134
Peter Carnie & Son Limited v Paton [1979] 260
Peter Simper & Co Ltd v Cooke [1986] 19
Pethick v Cunard Steamship Co [1973] 27
Phillips v Glendale Cabinet Co Ltd [1977] 307
Phillips v NALGO and NUPE [1973] 19
Pickering v Kingston Mobile Units [1978] 102
Pickstone and others v Freemans plc [1988] 357 – HL, [1987] 218 – CA and [1986] 335
Piggott Brothers & Co Ltd v Jackson and others [1991] 309 – CA
Pillinger v Manchester Area Health Authority [1979] 430
Pink v White and White & Co (Earls Barton) Ltd [1985] 489
Pinkney v Sandpiper Drilling Ltd and others [1989] 425
Piper v Southern Electronic Services [1976] 102
Pirelli General Cable Works Ltd v Murray [1979] 190
Plessey Co plc v Wilson and others [1982] 198 – CS
Pointon v The University of Sussex [1979] 119 – CA and [1977] 294 – EAT
Polentarutti v Autokraft Ltd [1991] 457
Polkey v A E Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] 503 – HL and [1987] 13 – CA
Poparm Ltd v Weekes [1984] 388
Port Talbot Engineering Co Ltd v Passmore and another [1975] 156 – HC
Portec UK Ltd v Mogensen [1976] 209
Porter v Bandridge Ltd [1978] 271 – CA
Porter and others v National Union of Journalists [1980] 404 – HL and [1979] 404 – CA
Portsea Island Mutual Co-operative Society Ltd v Leyland [1978] 556 – HC
Post Office v Fennell [1981] 221 – CA
Post Office v Jones [1977] 422
Post Office v Marney [1990] 170
Post Office v Mughal [1977] 178
Post Office v Roberts [1980] 347
Post Office v Strange [1981] 515
Post Office v Union of Communication Workers [1990]

143 – CA
Post Office v UPW and Crouch [1974] 22 – HL and [1973] 178, [1972] 121 – NIRC
Post Office v Waddell [1977] 344
Post Office v Wallser [1981] 37 – CA
Post Office Counters Ltd v Heavey [1989] 513
Potter v W J Rich & Sons [1975] 338
Powell v London Borough of Brent [1987] 466 – CA
Power Packing Casemakers v Faust and others [1981] 120
Powers and another v A Clarke & Co (Smethwick) Ltd [1981] 483
Powley v ACAS and others [1977] 190 – HC
Powrmatic Ltd v Bull [1977] 144
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] 471
Presho v Department of Health and Social Security (Insurance Officer) [1984] 74 – HL and [1983] 295 – CA
President of the Methodist Conference v Parfitt [1984] 141 – CA
Presley v Llanelli Borough Council [1979] 381
Press W & Son v Hall [1973] 307
Prestcold Ltd v Irvine [1980] 267
Prestige Group plc, In re [1984] 166 – HL and [1983] 408 – HC
Prestwick Circuits Ltd v McAndrew [1990] 191 – CS and [1988] 514
Price v Civil Service Commission and Civil Service National Whitley Council (Staff Side) (No. 2) [1978] 3
Price v Civil Service Commission and the Society of Civil and Public Servants [1977] 291 – EAT and [1976] 405 – IT
Price v Gourley Bros Ltd [1973] 11
Price v Smithfield & Zwanenberg Group Ltd [1978] 80
Price v Syd Long (Stockton) Ltd [1976] 41
Pringle v Lucas Industrial Equipment Ltd [1975] 266
Pritchard-Rhodes Ltd v Boon and Milton [1979] 19
Pritchett and Dyjasek v J McIntyre Ltd [1987] 18 – CA and [1986] 97
Property Guards Ltd v Taylor and another [1982] 175
Provident Financial Group plc and another v Hayward [1989] 84 – CA
Purdy v Willowbrook International Ltd [1977] 388

Q

(1) Qualcast (Wolverhampton) Ltd v Ross and (2) Ross v Qualcast (Wolverhampton) Ltd [1979] 98
Quinnen v Hovells [1984] 227
Quinton Hazell Ltd v Earl [1976] 296
Qureshi v London Borough of Newham [1991] 264 – CA

R

R v A I Industrial Products plc [1987] 296 – CA
R v Army Board of the Defence Council ex parte Anderson [1991] 425 – HC
R v Birmingham City Council ex parte Equal Opportunities Commission [1989] 173 – HL, [1988] 430 – CA and [1988] 96 – HC
R v British Broadcasting Corporation ex parte Lavelle [1982] 404 – HC
R v Central Arbitration Committee ex parte Banking, Insurance and Finance Union [1982] 505 – CA and [1982] 12 – HC
R v Central Arbitration Committee ex parte BTP Tioxide Ltd [1982] 60
R v Central Arbitration Committee ex parte Deltaflow Ltd [1977] 486 – HC
R v Central Arbitration Committee ex parte Hy-Mac Ltd [1979] 461 – HC
R v Central Arbitration Committee ex parte North Western Regional Health Authority [1978] 404 – HC
R v Central Arbitration Committee ex parte T I Tube Division Services Ltd [1978] 183 – HC
R v Certification Officer ex parte Amalgamated Union of Engineering Workers (Engineering Section) and others [1983] 113 – CA and [1982] 67
R v Certification Officer ex parte Electrical Power Engineers' Association [1990] 398 – HL, [1990] 98 – CA and [1989] 338 – HC
R v Certification Officer ex parte Royal College of Nursing [1991] 258 – HC
R v Chief Constable of South Wales ex parte Thornhill [1987] 313 – CA
R v Chief Constable of the Thames Valley Police ex parte Cotton [1990] 344 – CA
R v Civil Service Appeal Board ex parte Cunningham [1991] 297 – CA and [1990] 503 – HC
R v Commission for Racial Equality ex parte Westminster City Council [1985] 426 – CA and [1984] 230 – HC
R v Department of Health ex parte Gandhi [1991] 431 – HC
R v Derbyshire County Council ex parte Noble [1990] 332 – CA
R v East Berkshire Health Authority ex parte Walsh [1984] 278 – CA
R v Greater London Council ex parte William Burgess [1978] 261 – HC
R v Hertfordshire County Council ex parte National Union of Public Employees and others; R v East Sussex County Council ex parte National Union of Public Employees and others [1985] 258 – CA
R v Jones [1974] 117 – CA
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] 501 – HC
R v London Borough of Ealing and others ex parte Times Newspapers Ltd and others [1987] 129 – HC
R v London Borough of Hammersmith and Fulham ex parte NALGO and others [1991] 249 – HC
R v London Borough of Islington ex parte Building Employers' Confederation [1989] 382 – HC
R v Lord Chancellor's Department ex parte Nangle [1991] 343 – HC
R v Mansfield Justices ex parte Sharkey and others [1984] 496 – HC
R v Mara [1987] 154 – CA
R v Race Relations Board ex parte Selvarajan [1975] 281 – CA and [1974] 89 – HC
R v Secretary of State for Education ex parte Schaffter [1987] 53 – HC
R v Secretary of State for Employment ex parte EOC [1991] 493 – HC
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and another [1985] 28 – HL, [1984] 353 – CA and [1984] 309 – HC
R v Secretary of State for Health and another ex parte Guirguis [1990] 30 – CA
R v Secretary of State for the Home Department ex parte Benwell [1985] 6 – HC
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] 22 – HC
R v Swan Hunter Shipbuilders Ltd and Telemeter Installations Ltd [1981] 403 – CA
R v The Certification Officer ex parte the Amalgamated Union of Engineering Workers (Engineering Section) and others [1982] 67
R v The Commission for Racial Equality ex parte Cottrell and Rothon [1980] 279 – HC
R v The Leicestershire Fire Authority ex parte James Thompson [1979] 166 – HC
R v Tomlinson & Warren [1974] 347 – CA
Racal Communications v The Pay Board [1974] 209 – HC
Race Relations Board v Mecca Ltd [1976] 15 – CC
Rainey v Greater Glasgow Health Board Eastern District [1987] 26 – HL and [1985] 414 – CS and [1984] 88
Ramroop v H Goldman Ltd [1974] 313
Ramsay v W B Anderson & Sons [1974] 164
Randall v The Post Office [1977] 346
Rank Xerox Ltd v Churchill and others [1988] 280
Rank Xerox (UK) Ltd v Goodchild and others [1979] 185
Rasool and others v Hepworth Pipe Co Ltd (No. 1) [1980] 88
Rasool and others v Hepworth Pipe Co Ltd (No. 2) [1980] 137
Rasul v Commission for Racial Equality [1978] 203
Ratcliffe v Dorset County Council [1978] 191
Rath v Cruden Construction Ltd [1982] 9
Raval v Department of Health and Social Security and Civil Service Commission [1985] 370
Rawlings v Lionweld Ltd [1978] 481
Raymond v Sir Lindsay Parkinson & Co [1974] 298
Raynor v Remploy Ltd [1973] 3
Rayware Ltd and another v TGWU and another [1989] 134 – CA
Read v Phoenix Preservation Ltd [1985] 93
Read v Tiverton District Council and Bull [1977] 202
Ready Case Ltd v Jackson [1981] 312
Reaney v Kanda Jean Products Ltd [1978] 427
Redland Roof Tiles v Eveleigh [1979] 11
Reed Packaging Ltd v Boozer and another [1988] 333
Rees v Kraken International Ltd [1975] 342
Reeves v Messrs Wm Kingham & Sons [1974] 142
Reeves v TGWU [1980] 307 – EAT and [1979] 290 – CO
Refund Rentals Ltd v McDermott [1977] 59
Reid v Camphill Engravers [1990] 268
Reid v Rush and Tompkins Group plc [1989] 265 – CA
Reiss Engineering Co Ltd v Harris [1985] 232 – HC
Remington v NUPE [1973] 273
Rennie v Eric Bemrose Ltd [1974] 334
Rentokil Ltd v Mackin and another [1989] 286
Reston and others v Leyland Vehicles Ltd [1980] 376
Retarded Children's Aid Society Ltd v Day [1978] 128 – CA
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] 483 – CA
RHM Foods Ltd v TGWU [1979] 279 – HC
RHP Bearings Ltd v Brookes [1979] 452
Rice v The Scottish Legal Life Assurance Society [1976] 330
Richard Read (Transport) Ltd v National Union of Mineworkers (South Wales Area); George M Read Ltd v National Union of Mineworkers (South Wales Area) [1985] 67 – HC
Richards v Bulpitt & Sons Ltd [1975] 134
Richards v National Union of Mineworkers and National Union of Mineworkers (Nottingham Area) [1981] 247
Richardson v City of Bradford Metropolitan Council [1975] 296
Richmond Precision Engineering Ltd v Pearce [1985] 179
Ridgway and Fairbrother v National Coal Board [1987] 80 – CA and [1986] 379
Rigby v British Steel Corporation [1973] 241
Rigby v Ferodo Ltd [1987] 516 – HL and [1987] 61 – CA
Rigden-Murphy v Securicor Ltd [1976] 106
Riley v (1) Tesco Stores Ltd and (2) Greater London Citizens' Advice Bureaux [1980] 103 – CA and [1979] 49 – EAT
Riley (formerly Rees) v Joseph Frisby Ltd [1982] 479
Rinner-Kühn v FWW Spezial-Gebäudereinigung GmbH & Co KG [1989] 493 – ECJ
Roach v CSB (Moulds) Ltd [1991] 200
Roadburg v Lothian Regional Council [1976] 283
Roadchef Ltd v Hastings [1988] 142
Robb v Leon Motor Services Ltd [1978] 26 – EAT and [1977] 245 – IT
Robb v London Borough of Hammersmith and Fulham [1991] 72 – HC
Robb v Mersey Insulation Co Ltd [1972] 18
Robert Cort & Son Ltd v Charman [1981] 437
Roberts v BICC Ltd [1976] 404
Roberts v Birds Eye Walls Ltd [1991] 19
Roberts v Cleveland AHA [1979] 244 – CA and [1977] 401 – EAT
Roberts v Tate & Lyle Industries Ltd [1986] 150 – ECJ and [1983] 240
Robertson and another v Securicor Transport Ltd [1972] 70
Robertson and Jackson v British Gas Corporation [1983] 302 – CA
Robinson v British Island Airways Ltd [1977] 477
Robinson v Carrickfergus Borough Council [1983] 122 – NICA
Robinson v Claxton & Garland (Teesside) Ltd [1977] 159
Robinson v Crompton Parkinson Ltd [1978] 61
Robinson v Flitwick Frames Ltd [1975] 261
Robinson and others v Ulster Carpet Mills Ltd [1991] 348 – NICA
Robson v Cambion Electric Products Ltd [1976] 109
Roger Bullivant Ltd and others v Ellis and others [1987] 491 – CA
Rogers v Bodfari (Transport) [1973] 172
Rogers and others v Vosper Thornycroft (UK) Ltd [1989] 82 – CA and [1988] 229
Rolls-Royce Ltd v Walpole [1980] 343
Rolls-Royce Motors Ltd v Dewhurst and others [1985] 184
Rolls-Royce plc v Doughty [1987] 447
Rose v Leeds Metal Spinning Co Ltd [1976] 142
Rose v Plenty and Co-operative Retail Services Ltd [1976] 60 – CA
Rosedale Mouldings Ltd v Sibley [1980] 387
Rosenthal v Louis Butler Ltd [1972] 39
Ross v Aquascutum Ltd [1973] 107
Ross v National Coal Board [1973] 37
Rothwell v APEX and the TUC [1975] 375 – C
Roustoby v British Cocoa Mills [1973] 103
Rowan v Machinery Installations (South Wales) Ltd [1981] 122
Rowbotham v Arthur Lee & Sons [1974] 377 – HC
Rowe v Radio Rentals Ltd [1982] 177
Royal Naval School v Hughes [1979] 383
Royal Ordnance plc v Pilkington [1989] 489 – CA and [1988] 466
Royal Society for the Prevention of Cruelty to Animals v Cruden [1986] 83
Royal Society for the Protection of Birds v Croucher [1984] 425
Royle v Trafford Borough Council [1984] 184 – HC
Roynane v Northern Strip Mining Ltd [1975] 303
RS Components Ltd v Irwin [1973] 239
Ruff v T Smith t/a Friar Tuck Restaurant [1975] 275 – HC
Rummler v Dato-Druck GmbH [1987] 32 – ECJ
Runnalls v Richards & Osborne Ltd and the Secretary of State for Employment [1973] 124
Russell v John Gill Transport [1978] 196
Ryan v Shipboard Maintenance [1980] 16
Ryan Holdings Ltd v James and others and Secretary of State for Employment [1976] 25 – HC
Ryan Plant International Ltd v Price and others and

Secretary of State for Employment [1976] 25 – HC
Ryder v Scot Bowyers [1973] 109

S
S & U Stores v Wilkes [1974] 283
Sadler v Imperial Life Assurance Co of Canada Ltd [1988] 388 – HC
Saeed v Greater London Council (ILEA) [1986] 23 – HC
Saggers v British Railways Board (No. 2) [1978] 435
Saggers v British Railways Board [1977] 266
Sainsbury, J Ltd v Savage [1980] 109 – CA and [1978] 479 – EAT
St Anne's Board Mill Co v Brien [1973] 309
St Basil's Centre v McCrossan [1991] 455
Sakals v United Counties Omnibus Co Ltd [1984] 474
Sammut v CIT (England) and TASS [1973] 144
Samways v Swan Hunter Shipbuilders Ltd [1975] 190
Sanders v Ernest Neale [1974] 236
Sandhu v Department of Education & Science and London Borough of Hillingdon [1978] 208
Sarvent and others v CEGB [1976] 66
Satchwell Sunvic Ltd v Secretary of State for Employment [1979] 455
Saunders v Bakers Food & Allied Workers' Union [1986] 16
Saunders v Richmond upon Thames Borough Council [1977] 362
Saunders v Scottish National Camps Association Ltd [1981] 277 – CS and [1980] – EAT
Savage v J Sainsbury Ltd [1980] 109 – CA and [1978] 479 – EAT
Savoia v Chiltern Herb Farms Ltd [1982] 166 – CA and [1981] 65 – EAT
Scally and others v Southern Health and Social Services Board and others [1991] 522 – HL
Scarlett v Godfrey Abbott Group Ltd [1978] 456
Scarr v F W Goodyear & Sons Ltd [1975] 166
Schembri v Scot Bowyers [1973] 110
Schmidt v Austicks Bookshops Ltd [1977] 360
Science Research Council v Nasse [1979] 465 – HL, [1978] 352 – CA and [1978] 201 – EAT
Scott v Aveling Barford Ltd [1977] 419
Scott v Creager [1979] 162
Scott v E & E Kaye Ltd [1978] 193
Scott v Formica Ltd [1975] 104
Scott and others v Coalite Fuels and Chemicals Ltd [1988] 131
Scott, Brownrigg & Turner v Dance [1977] 141
Scott Packing & Warehousing Co Ltd v Paterson [1978] 166
Scottish & Newcastle Breweries plc v Halliday [1986] 291
Scottish CWS v Lloyd [1973] 93 – NIRC and [1973] 45 – IT
Scottish Midland Co-operative Society Ltd v Cullion [1991] 261 – CS
Scottish Special Housing Association v Cooke and others [1979] 264
Scottish Special Housing Association v Linnen [1979] 265
Seaboard World Airlines v TGWU [1973] 300
Sealey and others v Avon Aluminium Co Ltd [1978] 285
Secretary of State for Employment v Anchor Hotel (Kippford) Ltd [1985] 452
Secretary of State for Employment v Cheltenham Computer Bureau [1985] 333
Secretary of State for Employment v Cohen and Beaupress Ltd [1987] 169
Secretary of State for Employment v Cox [1984] 437
Secretary of State for Employment v Crane [1988] 238
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] 180
Secretary of State for Employment v Doulton Sanitaryware Ltd [1981] 365
Secretary of State for Employment v Globe Elastic Thread Co Ltd [1979] 327 – HL, [1978] 417 – CA and [1977] 233 – EAT
Secretary of State for Employment v Haynes [1980] 270
Secretary of State for Employment v Horizon Holidays Ltd and ASTMS [1973] 24
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] 11
Secretary of State for Employment v Levy [1989] 469
Secretary of State for Employment v (1) Newbold and (2) Joint Liquidators of David Armstrong (Catering Services) Ltd [1981] 305
Secretary of State for Employment v Spence and others [1986] 248 – CA
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] 117 – CA
Secretary of State for Employment v Wilson [1977] 483
Secretary of State for Scotland v Meikle [1986] 208
Secretary of State for Scotland v Scottish Prison Officers' Association and others [1991] 371 – CS
Secretary of State for Scotland and Greater Glasgow Health Board v Wright and Hannah [1991] 187
Secretary of State for Trade v Douglas [1983] 63
Securicor Ltd v Smith [1989] 356 – CA
Seed v Crowther (Dyers) [1973] 199
Selby and another v The Plessey Co Ltd [1972] 36
Select Managements Ltd v Westminster City Council [1985] 344 – CA
Seligman and Latz Ltd v McHugh [1979] 130
Selvarajan In re [1975] 281 – CA and [1974] 89 – HC
Selvarajan v Inner London Education Authority [1980] 313
Sewell and another v Ford Motor Co [1975] 25
Seymour v British Airways Board [1983] 55
Shanahan v Cunard Steamship Co Ltd [1972] 83
Shannon v Mitchell (Belfast) Ltd [1981] 505 – NICA
Sharp and another v Mogil Motors (Stirling) Ltd [1976] 132
Shaw v Garden King Frozen Foods Ltd [1975] 98
Sheet Metal Components v Plumridge [1974] 86
Sheffield v Oxford Controls Co Ltd [1979] 133
Sheldon v National Graphical Association [1973] 53
Shepherd FC & Co Ltd v Jerrom [1986] 358 – CA and [1985] 275
Sherrad v Tangye-Epco Ltd [1975] 106
Sherrard and others v AUEW [1973] 188 – CA
Sherrier v Ford Motor Co Ltd [1976] 141
Shields v E Coomes (Holdings) Ltd [1978] 263 – CA and [1977] 131 – EAT
Shipping Company Uniform Inc v International Transport Workers' Federation and others [1985] 71 – HC
Shipside (Ruthin) Ltd and others v TGWU [1973] 244
Shook v London Borough of Ealing [1986] 46
Short v Clarkson International Tools Ltd [1973] 90 – NIRC and [1973] 49 – IT
Shortland W F Ltd v Chantrill [1975] 208 – HC and [1974] 333 – IT
Shove v Downs Surgical plc [1984] 17 – HC
Showboat Entertainment Centre Ltd v Owens [1984] 7
SI (Systems & Instruments) Ltd v Grist and Riley [1983] 391
Sibun v Modern Telephones Ltd [1976] 81
Siggs & Chapman (Contractors) Ltd v Knight [1984] 83
Sillars v Charringtons Fuels Ltd [1989] 152 – CA and [1988] 180
Sillifant v Powell Duffryn Timber Ltd [1983] 91
Silverstone v ECI (Midlands) Ltd [1976] 7
Sim v Rotherham Metropolitan Borough Council; Townend v Doncaster Metropolitan Borough Council; Barnfield v Metropolitan Borough Council of Solihull; Rathbone v London Borough of Croydon [1986] 391 – HC
Sime v Sutcliffe Catering Scotland Ltd [1990] 228 – CS
Simmonds v Dowty Seals Ltd [1978] 211
Simmons v Hooier Ltd [1976] 266 – EAT and [1975] 263 – IT
Simon v Brimham Associates [1987] 307 – CA
Simpson v Ronco Ltd [1972] 5
Simpson A & Son (Motors) v Reid and Findlater [1983] 401
Singer v Millward Ladsky & Co [1979] 217
Singer Co (UK) Ltd v Ferrier and others [1980] 300
Singh v British Steel Corporation [1974] 131
Singh v Higgs & Hill Ltd [1976] 299 – EAT and [1976] 116 – IT
Singh v London Country Bus Services [1976] 176
Singh v Lyons Maid Ltd [1975] 328
Singh v Rowntree Mackintosh Ltd [1979] 199
Singh-Deu v Chloride Metals Ltd [1976] 56
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] 208 – CS
Sisley v Britannia Security Systems Ltd [1983] 404
Skyrail Oceanic Ltd t/a Goodmos Tours v Colman [1980] 226
Slack v Greenham (Plant Hire) Ltd [1983] 271
Slater v Leicestershire Health Authority [1989] 16 – CA
Slater and Secretary of State for Employment v John Swain and Son Ltd [1981] 303
Slaughter v C Brewer & Sons Ltd [1990] 426
Small v Lex Mead Southampton [1977] 48
Smart (HM Inspector of Taxes) v Tyrer [1979] 121 – HL and [1978] 132 – CA
Smith v Avana Bakeries Ltd [1979] 423
Smith v Cameron and Campbell [1974] 202 – NIRC and [1974] 180 – IT
Smith v The Chairman and Other Councillors of Hayle Town Council [1978] 413 – CA
Smith v City of Glasgow District Council [1987] 326 – HL and [1985] 79 – CS
Smith v Collinsons Precision Screw Co [1975] 196
Smith v Deputy Master Royal Mint [1973] 267
Smith v Du Pont (UK) Ltd [1976] 107
Smith v Scot Bowyers Ltd [1986] 315 – CA
Smith v Stages and Darlington Insulation Co Ltd [1989] 177 – HL and [1988] 107 – CA
Smith J & H Ltd v Smith [1974] 59
Smith, Kline & French Laboratories Ltd v Coates [1977] 220
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] 434
Smithson v Sydney Chambers & Co Ltd [1976] 13
Smoker v London Fire and Civil Defence Authority [1991] 271 – HL and [1990] 271 – HC
Snaith, In re [1982] 157 – NIHC
Snowball v Gardner Merchant Ltd [1987] 397
Snoxell and another v Vauxhall Motors Ltd [1977] 123
Society of Licensed Victuallers v Chamberlain [1989] 421
Sood v GEC Elliott Process Automation Ltd [1979] 416
Sorbie and others v Trust Houses Forte Hotels Ltd [1976] 371
Sothern v Franks Charlesly & Co [1981] 278 – CA
Sougrin v Haringey Health Authority [1991] 447
South Surbiton Co-operative Society v Wilcox [1975] 292
South West Launderettes Ltd v Laidler [1986] 305 – CA and [1986] 68
Southwood Hostel Management Committee v Taylor [1979] 397
Sovereign Distribution Services Ltd v TGWU [1989] 334
Sovereign House Security Services Ltd v Savage [1989] 115 – CA
Spafax Ltd v Harrison [1980] 442 – CA
Spafax Ltd v Taylor [1980] 442 – CA
Spanlite Structures v Jarrett [1973] 280
Spencer v Alistair McCowan & Associates [1975] 34
Spencer v Marchington [1988] 392 – HC
Spencer v Paragon Wallpapers Ltd [1976] 373
Spencer and Griffin v Gloucestershire County Council [1985] 393 – CA
Spencer Jones v Timmens Freeman [1974] 325
Spiller v F J Wallis Ltd [1975] 362
Spillers-French (Holdings) Ltd v USDAW [1979] 339
Spink v Express Foods Group Ltd [1990] 320
Spook Erection Ltd v Thackray [1984] 116 – CS
Springbank Sand & Gravel v Craig [1973] 278
Spruce and another v National Coal Board [1977] 251
Squibb UK Staff Association v Certification Officer [1977] 355
(1) Staffordshire County Council v Donovan and (2) Donovan v Staffordshire County Council [1981] 108
Stacey v Babcock Power Ltd [1986] 3
Staffordshire County Council v Secretary of State for Employment [1988] 3
Standard Telephones and Cables Ltd v Yates [1981] 21
Stanton v Woolfenden's Cranes Ltd [1972] 82
Stapp v Shaftesbury Society [1982] 326 – CA
Star Sea Transport Corporation of Monrovia v Slater and others [1978] 507 – CA
Steel v Post Office (No. 2) [1978] 198
Steel v The Union of Post Office Workers and the General Post Office [1977] 288
Stein v Associated Dairies Ltd [1982] 447
Stepney Cast Stone Co Ltd v Macarthur [1979] 181
Stern J & J v Simpson [1983] 52
Stevens and others v Bexley Health Authority [1989] 240
Stevenson v Golden Wonder Ltd [1977] 474
Steward v Swan Hunter Shipbuilders Ltd [1975] 143
Stewart v AUEW and others [1973] 57
Stewart v Western SMT Co Ltd [1978] 553
Stirling and others v Dietsmann Management Systems Ltd [1991] 368
Stokes v Hampstead Wine Co Ltd [1979] 298
Stokes and another v Wheeler-Green Ltd [1979] 211
Strathclyde Regional Council v Neil [1984] 14 and [1984] 11 – SC
Strathclyde Regional Council v Porcelli [1986] 134 – CS and [1984] 467
Street v Wrights Insulations Ltd [1972] 120
Strover v Chrysler UK Ltd [1975] 66
Strudwick v IBL [1988] 457
Stuart and others v MoD and EETPU [1973] 143
Stubbes v Trower, Still & Keeling [1987] 321 – CA
Sturdy Finance Ltd v Bardsley [1979] 65
Sturges v A E Farr Ltd [1975] 312 – HC
Sudders v The Prestige Group Ltd [1975] 367
Suffolk County Council v Secretary of State for the Environment and Alcock [1985] 24 – HL
Suflex Ltd v Thomas and others [1987] 435
Summerfield v London Co-op [1973] 230 – CC
Summerfield v Wallpaper Manufacturers Ltd and Wallpaper Worker's Union [1973] 24
Sun & Sand Ltd v Fitzjohn [1979] 154
Sun Alliance and London Insurance Ltd v Dudman [1978] 169

Sun Printers Ltd v Westminster Press Ltd and another [1982] 292 – CA
Sutcliffe v Hawker Siddeley [1973] 304
Sutcliffe & Eaton Ltd v Pinney [1977] 349
Sutherland v National Carriers Ltd [1975] 340
Sutton v Revlon Overseas [1973] 173
Sutton & Gates v Boxall [1978] 486
Swaine v Health and Safety Executive [1986] 205
Swainston v Hetton Victory Club Ltd [1983] 164 – CA
Sweetlove v Redbridge & Waltham Forest Area Health Authority [1979] 195
Sybron Corporation and another v Rochem Ltd and others [1983] 253 – CA
Sycamore v H Myer & Co Ltd [1976] 84
Syed v Ford Motor Co Ltd [1979] 335
System Floors (UK) Ltd v Daniel [1981] 475
Systems Reliability Holdings plc v Smith [1990] 377 – HC

T

Tadd v Eastwood and Daily Telegraph Ltd [1985] 119 – CA and [1983] 320 – HC
Talbot v Hugh M Fulton [1975] 52
Talke Fashions Ltd v Amalgamated Society of Textile Workers & Kindred Trades [1977] 309
Tan v Berry Bros and Rudd [1974] 244
Tanks & Drums Ltd v TGWU [1991] 372 – CA
Tanner v D T Kean Ltd [1978] 110
Taplin v C Shippam Ltd [1978] 450
Tarmac Roadstone v Peacock and others [1973] 157 – CA
Tarnesby v Kensington and Chelsea and Westminster Area Health Authority [1981] 369 – HL
Taylor v Alidair Ltd [1978] 82 – CA and [1976] 420 – EAT
Taylor v Associated Country Women of the World [1973] 324
Taylor v Butler Machine Tool Co Ltd [1976] 113
Taylor v Co-operative Retail Services Ltd [1982] 354 – CA and [1981] – EAT
Taylor v Ministry of Defence [1977] 2
Taylor v Parsons Peebles NEI Bruce Peebles Ltd [1981] 119
Taylor v Southcott & Co Ltd [1972] 78
Taylor v Triumph Motors and Secretary of State for Employment [1975] 369
Taylor and Foulstone v National Union of Mineworkers (Yorkshire Area) and National Union of Mineworkers [1984] 445 – HC
Taylor and others v Conveyancer Ltd [1972] 37
Taylor and others v National Union of Mineworkers (Derbyshire Area) and others [1985] 99 – HC, [1985] 65 – HC and [1984] 440 – HC
Taylorplan Catering (Scotland) Ltd v McInally [1980] 53
Tayside Regional Council v McIntosh [1982] 272
TBA Industrial Products Ltd v Locke [1984] 48
TBA Industrial Products Ltd v Morland [1982] 331 – CA
Teesside Times Ltd v Drury [1980] 72 – CA
Tejani v Superintendent Registrar for the District of Peterborough [1986] 502 – CA
Telecommunications Staff Association v The Post Office and others [1973] 375 – CA and [1973] 84 – NIRC
Telephone Information Services Ltd v Wilkinson [1991] 148
Tele-Trading Ltd v Jenkins [1990] 430 – CA
Tennants Textile Colours Ltd v Todd [1989] 3 – NICA
Terry v East Sussex County Council [1976] 332
Tesco Group of Companies (Holdings) Ltd v Hill [1977] 63
Tesco Stores Ltd v Edwards and others [1977] 120
Tesco Stores Ltd v Ward [1976] 92 – CA
TGWU v Andrew Dyer [1977] 93 – EAT and [1976] 358 – IT
TGWU v Courtenham Products Ltd [1977] 8
TGWU v Gainsborough Distributors (UK) Ltd [1978] 460
TGWU v Nationwide Haulage Ltd [1978] 143
TGWU v Webber [1990] 462
Thames Television Ltd v Wallis [1979] 136
Theedom v British Railways Board [1976] 137
Therm A Stor Ltd v Atkins and others [1983] 78 – CA
Thomas v Adjudication Officer and Secretary of State for Social Security [1990] 436 – CA
Thomas v Budgen & Co Ltd [1976] 174 – EAT and [1975] 201 – IT
Thomas & Betts Manufacturing Ltd v Harding [1980] 255 – CA and [1978] 213 – EAT
Thomas and others v National Coal Board and Barker v National Coal Board [1987] 451
Thomas and others v National Union of Mineworkers (South Wales Area) and others [1985] 136 – HC
Thomas Marshall (Exports) Ltd v Guinle [1978] 174 – HC
Thomas Scott & Sons (Bakers) Ltd v Allen and others [1983] 329 – CA and [1983] 66
Thomas Wragg & Sons v Wood [1976] 145
Thompson v ASDA MFI Group plc [1988] 340 – HC
Thompson v GEC Avionics Ltd [1991] 488
Thompson v T Lohan (Plant Hire) Ltd and J W Hurdiss Ltd [1987] 148 – CA
Thompson v Woodland Designs Ltd [1980] 423
Thompson and others v Eaton Ltd [1976] 308
Thompson, Gray and Nicholson v Smiths Shiprepairers (North Shields) Ltd; Blacklock and Waggott v Swan Hunter Shipbuilders Ltd; Mitchell v Vickers Armstrong Ltd and Swan Hunter Shipbuilders Ltd [1984] 93 – HC
Thomson v Alloa Motor Company Ltd [1983] 403
Thomson v Priest (Lindley) Ltd [1978] 99
Thorn v Meggitt Engineering Ltd [1976] 241
Thorndyke v Bell Fruit (North Central) Ltd [1979] 1
Thornton v Champion Associated Weavers Ltd [1977] 385
Thornton v S J Kitchin Ltd [1972] 46
Throsby v Imperial College of Science & Technology [1977] 337
Tidman v Aveling Marshall Ltd [1977] 218
Tilgate Pallets Ltd v Barras and others [1983] 231
Times Newspapers Ltd v O'Regan [1977] 101
Timex Corporation v Hodgson [1981] 530
Timex Corporation v Thomson [1981] 522
Tipper v Roofdec Ltd [1989] 419
Tiptools Ltd v Curtis [1973] 276
Tobin v Sika Contracts [1973] 12
Tocher v General Motors Scotland Ltd [1981] 55
Todd v British Midland Airways Ltd [1978] 370 – CA
Todd v North Eastern Electricity Board [1975] 130
Todd v Sun Ventilating Co Ltd [1975] 4
Tomlinson v Dick Evans U Drive Ltd [1978] 77
Tomson v Fraser Pearce Ltd [1975] 54
Toolan v Beck & Pollitzer Engineering Ltd [1975] 183 – HC
Torr v British Railways Board [1977] 184
Tottenham Green Under Fives' Centre v Marshall (No. 2) [1991] 162
Tottenham Green Under Fives' Centre v Marshall [1989] 147
Tovey v F & F Robinson (Stockton-on-Tees) Ltd [1975] 139
Tower Hamlets Health Authority v Anthony [1989] 394 – CA and [1988] 331
Townson v The Northgate Group Ltd [1981] 382
Tracey v Zest Equipment Co Ltd [1982] 268
Tradewinds Airways Ltd v Fletcher [1981] 272
Transport & General Workers' Union v Ledbury Preserves (1928) Ltd [1986] 492 and [1985] 412
Treganowan v Robert Knee & Co Ltd [1975] 247 – HC and [1975] 112 – IT
Tremlett v Freemans (London SW9) Ltd [1976] 292
Trend v Chiltern Hunt Ltd [1977] 66
Trevethan v Sterling Metals Ltd [1977] 416
Trevillion v The Hospital of St John and St Elizabeth [1973] 176
Trico-Folberth Ltd v Devonshire [1989] 396 – CA
Trico Folberth Ltd v Groves and another [1976] 327
Trimble v Supertravel Ltd [1982] 451
Trotter v Forth Ports Authority [1991] 419 – CS
Trusler v The Lummus Co Ltd [1972] 35
Trust Houses Forte Hotels Ltd v Murphy [1977] 186
Trust Houses Forte Leisure Ltd v Aquilar [1976] 251
Trusthouse Forte (Catering) Ltd v Adonis [1984] 382
TSA v The Post Office & UPW [1973] 375 – CA and [1973] 84 – NIRC
Tucker and others v British Leyland Motor Corporation Ltd [1978] 493 – CC
Turley v Allders Department Stores Ltd [1980] 4
Turner v Labour Party and Labour Party Superannuation Society [1987] 101 – CA
Turner v London Transport Executive [1977] 441 – CA
Turner v Pleasurama Casinos Ltd [1976] 151 – HC
Turner v Vestric Ltd [1981] 23
Turner v Wadham Stringer Commercials [1974] 83
Turner v Yates Bros Wine Lodges Ltd [1972] 84
Turton v MacGregor Wallcoverings Ltd [1979] 244 – CA and [1977] 249 – IT
Turvey and others v C W Cheyney & Son Ltd [1979] 105
TVR Engineering Ltd v Johnson [1978] 555
Tye and another v Mower Scaffolds Ltd and another [1976] 91

U

UBAF Bank Ltd v Davis [1978] 442
UCATT v G Ellison Carpentry Contractors [1976] 398
UKAEA v Claydon [1974] 6
Ulsterbus Ltd v Henderson [1989] 251 – NICA
Union Cartage Co Ltd v Blunden [1977] 139
Union of Bookmakers' Employees v L J Office Services Ltd and others [1973] 63
Union of Bookmakers' Employees v Seymour & Storey Group [1973] 350
Union of Bookmakers' Employees v Wm Hill [1973] 126
Union of Construction and Allied Trades and Technicians v Brain [1981] 225 – CA and [1980] 357 – EAT
Union of Construction and Allied Trades and Technicians v H Rooke & Son Ltd [1978] 204
Union Traffic Ltd v TGWU and others [1989] 127 – CA
United Bank Ltd v Akhtar [1989] 507
United Biscuits (UK) Ltd v Fall [1979] 110 – HC
United Biscuits Ltd v Young [1978] 15
United Kingdom Association of Professional Engineers and Butchart v ACAS [1978] 336
United Kingdom Association of Professional Engineers and others v Rolls-Royce and Associates and others [1972] 21
United Sterling Corporation v Felton and another [1974] 314 – HC
Universe Tankships Inc of Monrovia v (1) International Transport Workers' Federation and (2) Laughton and others [1982] 200 – HL, [1980] 363 – CA and [1980] 239 – HC
University of Reading and others v MacCormack [1978] 490
Unkles v Milanda Bread [1973] 76
USDAW v Leancut Bacon Ltd (in liquidation) [1981] 295
USDAW v Sketchley Ltd [1981] 291

V

Vaughan v Ministry of Defence [1976] 90
Vaughan v Weighpack Ltd [1974] 105
Veness and Chalkley v NUPE and others [1991] 76 – HC
Vickers Ltd v Smith [1977] 11
Village and others v Bibby & Baron (Leominster) Ltd [1977] 50
Vine v DRG (UK) Ltd [1978] 475
Virdee v ECC Quarries Ltd [1978] 295
Vokes Ltd v Bear [1973] 363 – NIRC
Vosper Thornycroft (UK) Ltd v TGWU and GMBATU [1988] 232
Vyas v Leyland Cars [1979] 465 – HL and [1978] 352 – CA

W

WAC Ltd and others v Whillock [1990] 22 – CS
Wadcock v London Borough of Brent [1990] 223 – CS
Waddington v Leicester Council for Voluntary Services [1977] 32
Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] 46
Wadley v Eager Electrical Ltd [1986] 93
Waine v R Oliver (Plant Hire) Ltd [1977] 434
Waite v Government Communications Headquarters [1983] 341 – HL and [1983] 161 – CA
Wales v International Drilling Co Ltd [1975] 341
Walker v Josiah Wedgwood & Sons Ltd [1978] 105
Walker v Lakhdari t/a Mayfair Newsagency [1990] 469
Wall and others v Standard Telephones & Cables Ltd (No. 2) [1991] 286 – HC
Wall and others v Standard Telephones & Cables Ltd [1990] 55 – HC
Wall's Meat Co Ltd v Khan [1978] 499 – CA and [1978] 74 – EAT
Wallace v Biggs Wall & Co Ltd [1972] 17
Wallace v E J Guy Ltd [1973] 175
Wallace v South Eastern Education and Library Board [1980] 193 – NICA
Walmsley v C&R Ferguson Ltd [1989] 112 – CS
Walmsley v UDEC Refrigeration Ltd [1972] 80
Walter Braund (London) Ltd v Murray [1991] 100
Walters v Top Crust Foods Ltd [1972] 108
Walton v TAC Construction Materials Ltd [1981] 357
Wares v Caithness Leather Products [1974] 162
Warner v Barbers Stores [1978] 109
Warren v Mendy and another [1989] 210 – CA
Warrilow v Robert Walker Ltd [1984] 304
Wass W & J Ltd v Binns [1982] 283 – CA
Watches of Switzerland Ltd v Savell [1983] 141, 147 – HC
Watling N C & Co Ltd v Richardson [1978] 255
Watts v Rubery Owen Conveyancer Ltd [1977] 112
Waudby v HFM (Transport) Ltd [1976] 35
Waugh v British Railways Board [1979] 364 – HL
Wearing v Pirelli Ltd [1977] 36 – HL
Webb v Anglian Water Authority [1981] 494
Webb v Emo Air Cargo (UK) Ltd [1990] 124
Weddel & Co Ltd v Tepper [1980] 96 – CA
Wells v E A West Ltd [1975] 269
Welsh v Associated Steels & Tools [1973] 111
West v Kneels [1986] 430
West Bromwich Building Society v Townsend [1983] 112 – HL, [1985] 116 – CA and [1983] 276
West Midland Co-operative Society Ltd v Tipton [1986] 112 – HL
West Midlands Passenger Transport Executive v

Singh [1988] 186 – CA and [1987] 351
Western Excavating (ECC) Ltd v Sharp [1978] 27 – CA and [1977] 25 – EAT
Westhead v British Shipping Federation [1973] 275
Weston v University College Swansea [1975] 102
Weston v Vega Space Systems Engineering Ltd [1989] 429
Westward Circuits Ltd v G W S Read [1973] 138
Westwood v Secretary of State for Employment [1984] 209 – HL, [1983] 419 – CA and [1982] 350
Wetherall (Bond St W1) Ltd v Lynn [1977] 333
Wheeler v Patel and J Golding Group of Companies [1987] 211
Whitaker v Milk Marketing Board [1973] 100
Whitbread & Co plc v Mills [1988] 501
Whitbread & Co plc v Thomas and others [1988] 43
White v British Sugar Corporation [1977] 121
White v Holbrook Precision Castings [1985] 215 – CA
White v London Transport Executive [1981] 261
White v Pressed Steel Fisher [1980] 176
White v Reflecting Roadstuds Ltd [1991] 331
Whitfield v H & R Johnson (Tiles) Ltd [1990] 525 – CA
Whitlow v Alkanet Construction Ltd [1975] 321
Whittaker v British Mail Order [1973] 296
Whittle v Manpower Services Commission [1987] 441 – CA
Whitworth v Bilabbey Ltd t/a Beeline Taxis [1975] 206
Whyte v Burmah Oil Trading Ltd [1976] 86
Whyte v University of Manchester [1976] 218
Wicks v Charles A Smethurst [1973] 327
Wicks v Firth (HM Inspector of Taxes) and Johnson v Firth (HM Inspector of Taxes) [1983] 80 – HL and [1982] 25 – CA
Wigan Borough Council v Davies [1979] 127
Wiggin Alloys Ltd v Jenkins [1981] 275
Wiggins v Lewis Shops Group [1973] 205 – NIRC and [1973] 114 – IT
Wigham v J E Woodman [1975] 204
Wignall v British Gas Corporation [1984] 493
Wilcox v Hants & Sussex Aviation Ltd [1975] 133
Wilcox v Humphreys and Glasgow Ltd [1975] 211 – HC
Wileman v Minilec Engineering Ltd [1988] 144
Wilkins and others v Cantrell and Cochrane (GB) Ltd [1978] 483
Willcox and another v Hastings and another [1987] 298 – CA
William Hill Organisation Ltd v Gavas [1990] 488 – CA
William Muir (Bond 9) Ltd v Lamb [1985] 95
Williams v Butler Ltd [1975] 120 – HC and [1974] 253 – HC
Williams v Loyds Retailers [1973] 262
Williams v Mortimer Fashions [1974] 300
Williams v Watsons Luxury Coaches [1990] 164
Williams v Western Mail & Echo Ltd [1980] 222
Williams and others v Compair Maxam [1982] 83
Williams and others v National Theatre Board Ltd [1982] 377 – CA and [1981] 5 – EAT
Williams J & Co Ltd v Secretary of State for Employment [1978] 235
Williamson v Alcan (UK) Ltd [1977] 303
Willment Bros v Oliver [1979] 393
Wilson v IDR Construction [1975] 260
Wilson v M Racher [1974] 114 – CA
Wilson v Maynard Shipbuilding Consultants AB [1977] 491 – CA and [1976] 384 – EAT
Wilson v Underhill House School Ltd [1977] 475
Wilson v Weatherseal Windows Ltd [1972] 13
Wiltshire County Council v National Association of Teachers in Further and Higher Education and Guy [1980] 198 – CA and [1978] 301 – EAT
Wiluszynski v London Borough of Tower Hamlets [1989] 259 – CA and [1988] 154 – HC
Winnett v Seamarks Brothers Ltd [1978] 387
Winterhalter Gastronom Ltd v Webb [1973] 120
Wiseman v Salford City Council [1981] 202
Wishart v National Association of Citizens' Advice Bureaux Ltd [1990] 393 – CA
Withers v Flackwood Heath Football Supporters' Club [1981] 307
Wm Low & Co Ltd v MacCuish [1979] 458
Wood v British Coal Corporation [1991] 271 – HL and [1991] 22 – CA
Wood v Cunard Line Ltd [1990] 281 – CA and [1989] 431
Wood v Freeloader Ltd [1977] 455
Wood v Kettering Co-operative Chemists Ltd [1978] 438
Wood v Louis C Edwards & Sons Ltd [1972] 18
Wood v United Leeds Hospitals [1974] 204
Wood v York City Council [1978] 228 – CA
Woodcock and others v Committee for the Time Being of the Friends School, Wigton and Genwise Ltd [1987] 98 – CA and [1986] 490
Wooding and others v Stoves Ltd [1975] 198
Woods v Olympic Aluminium Co Ltd [1975] 356
Woods v W M Car Services (Peterborough) Ltd [1982] 413 – CA and [1981] 347 – EAT
Woodward v Beeston Boiler [1973] 7
Worringham and Humphreys v Lloyds Bank Ltd [1982] 74 – CA, [1981] 178 ECJ, [1979] 440 – CA and [1979] 26 – EAT
Worsnip and others v Hawke Cable Glands Ltd [1975] 41
WPM Retail Ltd v Lang [1978] 243
Writers' Guild of GB and The Society of Authors v British Broadcasting Corporation [1973] 342
Wylie v Dee & Co (Menswear) Ltd [1978] 103

Y
Yates v British Leyland UK [1974] 367
Yates v Post Office Telephones [1976] 55
Yeats v Fairey Winches [1974] 362
York and another v Colledge Hosiery Co Ltd [1978] 53
York City & District Travel Ltd v Smith [1990] 213
York Trailer Co v Sparkes [1973] 348
Yorkshire Engineering & Welding v Burnham [1973] 316
Young v Carr Fasteners Ltd [1979] 420
Young v E Thomas & Co Ltd [1972] 40
Young and others v United Kingdom [1983] 35 and [1981] 408 – ECHR
Young & Woods Ltd v West [1980] 201 – CA
Young's of Gosport Ltd v Kendell [1977] 433

Z
Zarb and another v British Brazilian Produce Co (Sales) Ltd [1978] 78
Zarczynska v Levy [1978] 532
Zucker v Astrid Jewels Ltd [1978] 385

10-YEAR CUMULATIVE INDEX

Subject index of cases January 1982 to December 1991

100 CONTRACTS OF EMPLOYMENT

101 Meaning of "employee"

Lee v (1) Chung and (2) Shun Shing Construction & Engineering Co Ltd [1990] IRLR 236 – PC
Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA
Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] IRLR 83
Ironmonger v Movefield Ltd [1988] IRLR 461
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Davies v Presbyterian Church of Wales [1986] IRLR 194 – HL
Miles v Wakefield Metropolitan District Council [1985] IRLR 108 – CA
Hyland v JH Barker (North-West) Ltd [1985] IRLR 403
President of the Methodist Conference v Parfitt [1984] IRLR 141 – CA
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] IRLR 240 – CA and [1983] IRLR 103
Daley v Allied Suppliers Ltd [1983] IRLR 14
O'Kelly and others v Trusthouse Forte plc [1983] IRLR 369 – CA
Oliver v J P Malnick & Co [1983] IRLR 456

101.1 Meaning of "employee" – Illegal contract

Broaders v Kalkare Property Maintenance Ltd [1990] IRLR 421

102 Formation of contract

R v Lord Chancellor's Department, ex parte Nangle [1991] IRLR 343 – HC

102.2 Formation of contract – Nature of contract

Briggs v Oates [1990] IRLR 472 – HC

103 Identity of employer

Clifford v Union of Democratic Mineworkers [1991] IRLR 518 – CA

110 Written particulars

Eagland v British Telecommunications plc [1990] IRLR 328
Mears v Safecar Security Ltd [1982] IRLR 183 – CA

110.1 Written particulars – Legal effect

Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – CA

111.8 Writen particulars – Items to be specified – Pension rights

Scally and others v Southern Health and Social Services Board and others [1991] IRLR 522 – HL

111.9 Written particulars – Items to be specified – Sick pay

Howman & Sons v Blyth [1983] IRLR 139
Mears v Safecar Security Ltd [1982] IRLR 183 – CA

118 Written particulars – Reference to Tribunal

Eagland v British Telecommunications plc [1990] IRLR 328

120 Terms of employment

O'Laoire v Jackel International Ltd [1991] IRLR 170 – CA
Micklefield v SAC Technology Ltd [1990] IRLR 218 – HC
Reid v Rush and Tompkins Group plc [1989] IRLR 265 – CA
Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA
Cadoux v Central Regional Council [1986] IRLR 131 – CS
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
Strathclyde Regional Council v Neil [1984] IRLR 14 and 11
Sybron Corporation and another v Rochem Ltd and others [1983] IRLR 253 – CA
Horcal Ltd v Gatland [1983] IRLR 459 – HC
Tayside Regional Council v McIntosh [1982] IRLR 272
Riley v Joseph Frisby Ltd [1982] IRLR 479

120.1 Terms of employment – Restrictive covenant

Lansing Linde Ltd v Kerr [1991] IRLR 80 – CA
Office Angels Ltd v Rainer-Thomas and O'Connor [1991] IRLR 214 – CA
WAC Ltd and others v Whillock [1990] IRLR 22 – CS
Systems Reliability Holdings plc v Smith [1990] IRLR 377 – HC
Briggs v Oates [1990] IRLR 472 – HC
Lawrence David Ltd v Ashton [1989] IRLR 22 – CA
Provident Financial Group plc and another v Hayward [1989] IRLR 84 – CA
Hinton & Higgs (UK) Ltd v Murphy and another [1989] IRLR 519 – CS
Allied Dunbar (Frank Weisinger) Ltd v Weisinger [1988] IRLR 60 – HC
Sadler v Imperial Life Assurance Co of Canada Ltd [1988] IRLR 388 – HC
Spencer v Marchington [1988] IRLR 392 – HC
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA
Marley Tile Co Ltd v Johnson [1982] IRLR 75 – CA

120.2 Terms of employment – Secrecy agreement

Lawrence David Ltd v Ashton [1989] IRLR 22 – CA
Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA and [1984] IRLR 61 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC

120.5 Terms of employment – Duration

Dalgleish v Kew House Farm Ltd [1982] IRLR 251 – CA

120.6 Terms of employment – Redundancy procedure

Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd (No. 2) [1991] IRLR 286 – HC
Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd [1990] IRLR 55 – HC

120.7 Terms of employment – Data protection

Dalgleish and others v Lothian and Borders Police Board [1991] IRLR 422 – CS

121 Terms of employment – Job grading/title

Bridgen v Lancashire County Council [1987] IRLR 58 – CA

122 Terms of employment – Job duties

Wadcock v London Borough of Brent [1990] IRLR 223 – CS
MacPherson v London Borough of Lambeth [1988] IRLR 470 – HC
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC
Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC
Cresswell and others v Board of Inland Revenue [1984] IRLR 190 – HC

122.1 Terms of employment – Job duties – Flexibility clause

White v Reflecting Roadstuds Ltd [1991] IRLR 331

123 Terms of employment – Place of employment

Wood v Cunard Line [1990] IRLR 281 – CA and [1989] IRLR 431
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Rank Xerox Ltd v Churchill and others [1988] IRLR 280
Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] IRLR 305 – CA
McAndrew v Prestwick Circuits Ltd [1988] IRLR 514

123.1 Terms of employment – Place of employment – Mobility clause

White v Reflecting Roadstuds Ltd [1991] IRLR 331
Prestwick Circuits Ltd v McAndrew [1990] IRLR 191 – CS
United Bank Ltd v Akhtar [1989] IRLR 507

124 Terms of employment – Pay

White v Reflecting Roadstuds Ltd [1991] IRLR 331
Reid v Camphill Engravers [1990] IRLR 268
Wiluszynski v London Borough of Tower Hamlets [1989] IRLR 259 – CA
Cooner v P S Doal & Sons [1988] IRLR 338
Murco Petroleum Ltd v Forge [1987] IRLR 50
Rigby v Ferodo Ltd [1987] IRLR 61 – CA
Miles v Wakefield Metropolitan District Council [1987] IRLR 193 – HL and [1985] IRLR 108 – CA
Kinzley v Minories Finance Ltd [1987] IRLR 490
Miller v Hamworthy Engineering Ltd [1986] IRLR 465– CA
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA
Gibbons v Associated British Ports [1985] IRLR 376 – HC
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC
Burdett-Coutts and others v Hertfordshire County Council [1984] IRLR 91 – HC
Donelan v Kerrby Constructions Ltd and Secretary of State for Employment [1983] IRLR 191

124.2 Terms of employment – Pay – Bonus scheme

Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

124.3 Terms of employment – Pay – Motor allowance

Keir and Williams v Hereford and Worcester County Council [1985] IRLR 505 – CA

125 Terms of employment – Hours of work

Harber v North London Polytechnic [1990] IRLR 198 – CA
Society of Licensed Victuallers v Chamberlain [1989] IRLR 421
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11
Suffolk County Council v Secretary of State for the Environment and Alcock [1985] IRLR 24 – HL
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180
Lotus Cars Ltd v Sutcliffe and Stratton [1982] IRLR 381 – CA

125.1 Terms of employment – Hours of work – Overtime

Johnstone v Bloomsbury Health Authority [1991] IRLR 118 – CA
Evans v Elemeta Holdings [1982] IRLR 143

127 Terms of employment – Notice

Secretary of State for Employment v Staffordshire County Council [1989] IRLR 117 – CA and [1988] IRLR 3
Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Metropolitan Borough of Solihull v National Union of Teachers [1985] IRLR 211 – HC
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

127.2 Terms of employment – Notice – Payment in lieu

Delaney v Staples [1991] IRLR 112
Trotter v Forth Ports Authority [1991] IRLR 419 – CS
Foster Wheeler (London) Ltd v Jackson [1990] IRLR 412
Janstorp International (UK) Ltd v Allen [1990] IRLR 417
Gothard v Mirror Group Newspapers Ltd [1988] IRLR 396 – CA
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA

127.7 Terms of employment – Notice – Waiver of right

Trotter v Forth Ports Authority [1991] IRLR 419 – CS

129 Terms of employment – Sick pay/sick leave

Hooper v British Railways Board [1988] IRLR 517 – CA
Notcutt v Universal Equipment Co (London) Ltd [1986] IRLR 218 – CA
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434
Howman & Son v Blyth [1983] IRLR 139
Mears v Safecar Security Ltd [1982] IRLR 183 – CA

130 Terms of employment – Pension rights/ retirement

Imperial Group Pension Trust Ltd and others v Imperial Tobacco Ltd and others [1991] IRLR 66 – HC
Barber v Thames Television plc [1991] IRLR 236
Scally and others v Southern Health and Social Services Board and others [1991] IRLR 522 – HL
Mihlenstedt v Barclays Bank International Ltd and another [1989] IRLR 522 – CA

Gothard v Mirror Group Newspapers Ltd [1988] IRLR 396 – CA
Swaine v Health and Safety Executive [1986] IRLR 205
Highlands & Islands Development Board v MacGillivray [1986] IRLR 210 – CS
Waite v Government Communications Headquarters [1983] IRLR 341 – HL and [1983] IRLR 161 – CA
DHSS v Coy [1983] IRLR 474
Age Concern Scotland v Hines [1983] IRLR 477

131 Terms of employment – Duty of fidelity

Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA
Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA
Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA
Nova Plastics Ltd v Froggatt [1982] IRLR 146

131.1 Terms of employment – Duty of fidelity – Trade secrets

Lansing Linde Ltd v Kerr [1991] IRLR 80 – CA
Lock International plc v Beswick and others [1989] IRLR 481 – HC

131.2 Terms of employment – Duty of fidelity – Confidential information

Lansing Linde Ltd v Kerr [1991] IRLR 80 – CA
Dalgleish and others v Lothian and Borders Police Board [1991] IRLR 422 – CS
Systems Reliability Holdings plc v Smith [1990] IRLR 377 – HC
In re a company's application [1989] IRLR 477 – HC
Lock International plc v Beswick and others [1989] IRLR 481 – HC

132 Terms of employment – Director's fiduciary duty

Horcal Ltd v Gatland [1984] IRLR 288 – CA and [1983] IRLR 459 – HC
Maintenance Co Ltd v Dormer [1982] IRLR 491

133 Terms of employment – Duty to take reasonable care

Johnston v Bloomsbury Health Authority [1991] IRLR 118 – CA
Reid v Rush and Tompkins Group plc [1989] IRLR 265 – CA
Dutton & Clark Ltd v Daly [1985] IRLR 363

134 Terms of employment – Duty of mutual trust and confidence

Imperial Group Pension Trust Ltd and others v Imperial Tobacco Ltd and others [1991] IRLR 66 – HC
United Bank Ltd v Akhtar [1989] IRLR 507
Wadley v Eager Electrical Ltd [1986] IRLR 93
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA

135 Terms of employment – Duty to inform

Scally and others v Southern Health and Social Services Board and others [1991] IRLR 522 – HL

136 Terms of employment – Lay off

Miller v Hamworthy Engineering Ltd [1986] IRLR 461 – CA
Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

137 Terms of employment – Appeals procedure

R v Secretary of State for Health and another ex parte Guirguis [1990] IRLR 30 – CA
Palmer and Saunders v Southend-on-Sea Borough Council [1984] IRLR 119 – CA
Snaith, In re [1982] IRLR 157 – NIHC
R v BBC ex parte Lavelle [1982] IRLR 404 – HC

138 Terms of employment – Disputes procedure

Tadd v Eastwood and Daily Telegraph Ltd [1985] IRLR 119 – CA and [1983] IRLR 320 – HC
Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC

139 Terms of employment – Disciplinary procedure

R v Secretary of State for Health and another ex parte Guirguis [1990] IRLR 30 – CA
Wadcock v London Borough of Brent [1990] IRLR 223 – HC
Ali v London Borough of Southwark [1988] IRLR 100 – HC
Dietman v London Borough of Brent [1988] IRLR 299 – CA and [1987] IRLR 259 – HC
McGoldrick v London Borough of Brent [1987] IRLR 67 – CA
Batchelor v British Railways Board [1987] IRLR 136 – CA
R v Chief Constable of South Wales ex parte Thornhill [1987] IRLR 313 – CA
Saeed v Greater London Council (Inner London Education Authority) [1986] IRLR 23 – HC
Honeyford v City of Bradford Metropolitan Council and another [1986] IRLR 32 – CA
Calveley and others v Merseyside Police [1986] IRLR 177 – CA
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA

150.2 Employment-related torts – Conspiracy

Faccenda Chicken Ltd v Fowler and others [1984] IRLR 61 – HC

160 Effect of collective agreement

Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd (No. 2) [1991] IRLR 286 – HC
Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd [1990] IRLR 55 – HC
York City & District Travel Ltd v Smith [1990] IRLR 213
Hamilton v Futura Floors Ltd [1990] IRLR 478 – CS
Cadoux v Central Regional Council [1986] IRLR 131 – CS
Marley v Forward Trust Group Ltd [1986] IRLR 369 – CA and [1986] IRLR 43
NCB v NUM and others [1986] IRLR 439 – HC
Miller v Hamworthy Engineering Ltd [1986] IRLR 461 – CA
Tadd v Eastwood and Daily Telegraph Ltd [1985] IRLR 119 – CA and [1983] IRLR 320 – HC
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
Gibbons v Associated British Ports [1985] IRLR 376 – HC
Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – HC
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC

169 Effect of Wages Council Order

Reid v Camphill Engravers [1990] IRLR 268
Cooner v P S Doal & Sons [1988] IRLR 338

170 Termination

R v Chief Constable of South Wales ex parte Thornhill [1987] IRLR 313 – CA
R v Secretary of State for the Home Department ex parte Benwell [1985] IRLR 6 – HC
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA
R v East Berkshire Health Authority [1984] IRLR 278 – CA
Blyth v Scottish Liberal Club and others [1983] IRLR 245 – CS
Dalgleish v Kew House Farm Ltd [1982] IRLR 251 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC

171 Termination – Wrongful dismissal

Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd (No. 2) [1991] IRLR 286 – HC
Bowater plc v Charlwood [1991] IRLR 340
Chapman v Aberdeen Construction Group plc [1991] IRLR 505 – CS
Greg May (CF & C) Ltd v Dring [1990] IRLR 19
Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd [1990] IRLR 55 – HC
O'Laoire v Jackel International Ltd [1990] IRLR 70 – CA
Micklefield v SAC Technology Ltd [1990] IRLR 281 – HC
Briggs v Oates [1990] IRLR 472 – HC
Dietman v London Borough of Brent [1988] IRLR 299 – CA and [1987] IRLR 259 – HC
BSC Sports & Social Club v Morgan [1987] IRLR 391
Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC
Westwood v Secretary of State for Employment [1984] IRLR 209 – HL

174 Termination – Employer repudiation/ constructive dismissal

Spencer v Marchington [1988] IRLR 392 – HC

175 Termination – Frustration

Notcutt v Universal Equipment Co (London) Ltd [1986] IRLR 218 – CA
Norris v Southampton City Council [1982] IRLR 141

179 Breach of contract

Robb v London Borough of Hammersmith and Fulham [1991] IRLR 72 – HC
Delaney v Staples [1991] IRLR 112 – CA and [1990] IRLR 86
Jakeman and others v South West Thames Regional Health Authority and London Ambulance Service [1990] IRLR 70 – HC
Barlow v Whittle [1990] IRLR 79
Alsop v Star Vehicle Contracts Ltd [1990] IRLR 83
Chiltern House Ltd v Chambers and others [1990] IRLR 88
New Centurion Trust v Welch and another [1990] IRLR 123
McLaren v The Home Office [1990] IRLR 338 – CA
Wishart v National Association of Citizens Advice Bureaux Ltd [1990] IRLR 393 – CA
Warren v Mendy and another [1989] IRLR 210 – CA
Wiluszynski v London Borough of Tower Hamlets [1989] IRLR 259 – CA and [1988] IRLR 154 – HC
Jackson v Foster Wheeler (London) Ltd [1989] IRLR 283
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Ali v London Borough of Southwark [1988] IRLR 100 – HC
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Batchelor v British Railways Board [1987] IRLR 136 – CA
Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA
Chapman and Elkin v CPS Computer Group Ltd [1987] IRLR 462 – CA
Rigby v Ferodo Ltd [1987] IRLR 516 – HL and [1987] IRLR 61 – CA
Shook v London Borough of Ealing [1986] IRLR 46
Faccenda Chicken Ltd v Fowler and others [1986] IRLR 69 – CA
Cadoux v Central Regional Council [1986] IRLR 131 – CS
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC
Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA
Gibbons v Associated British Ports [1985] IRLR 376 – HC
Gill and others v Cape Contracts Ltd [1985] IRLR 499 – NIHC
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC
Keir and Williams v Hereford and Worcester County Council [1985] IRLR 505 – CA
Strathclyde Regional Council v Neil [1984] IRLR 14 and 11
Burdett-Coutts and others v Hertfordshire County Council [1984] IRLR 91 – HC
Royle v Trafford Borough Council [1984] IRLR 184 – HC
Cresswell and others v Board of Inland Revenue [1984] IRLR 190 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
Robertson and Jackson v British Gas Corporation [1983] IRLR 302 – CA
Bond v CAV Ltd and Neads v CAV Ltd [1983] IRLR 360 – HC
Norris v Southampton City Council [1982] IRLR 141
Rowe v Radio Rentals Ltd [1982] IRLR 177

180 Continuity of employment

Roach v CSB (Moulds) Ltd [1991] IRLR 200
Berwick Salmon Fisheries Co Ltd v Rutherford and others [1991] IRLR 203
Hancill v Marcon Engineering Ltd [1990] IRLR 51
Macer v Abafast Ltd [1990] IRLR 137
Harber v North London Polytechnic [1990] IRLR 198 – CA
Briggs v Oates [1990] IRLR 472 – HC
Sillars v Charringtons Fuels Ltd [1989] IRLR 152 – CA and [1988] IRLR 180
Payne v Secretary of State for Employment [1989] IRLR 352 – CA
Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA
Tipper v Roofdec Ltd [1989] IRLR 419
Society of Licensed Victuallers v Chamberlain [1989] IRLR 421
Pinkney v Sandpiper Drilling Ltd and others [1989] IRLR 425
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Brook Lane Finance Co Ltd v Bradley [1988] IRLR 283
Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] IRLR 439 – CA
Secretary of State for Employment v Cohen and

Beaupress Ltd [1987] IRLR 169
Byrne v City of Birmingham District Council [1987] IRLR 191 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1966] IRLR 11
South West Launderettes Ltd v Laidler [1986] IRLR 305 – CA and [1986] IRLR 68
Clack and others v Kodak Ltd [1986] IRLR 255 – CA and [1985] IRLR 443
Ingram v Foxon [1985] IRLR 5
Jeetle v Elster [1985] IRLR 227
Secretary of State for Employment v (1) Deary and others and (2) Cambridgeshire County Council [1984] IRLR 180
Hair Colour Consultants Ltd v Mena [1984] IRLR 386
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA

91 Remedies – Damages

D'Laoire v Jackel International Ltd [1991] IRLR 170 – CA
Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd (No. 2) [1991] IRLR 286 – HC
Chapman v Aberdeen Construction Group plc [1991] IRLR 505 – CS
Scally and others v Southern Health and Social Services Board and others [1991] IRLR 522 – HL
Trotter v Forth Ports Authority [1991] IRLR 419 – CS
New Centurion Trust v Welch and another [1990] IRLR 123
Micklefield v SAC Technology Ltd [1990] IRLR 218 – HC
Warren v Mendy and another [1989] IRLR 210 – CA
Wiluszynski v London Borough of Tower Hamlets [1988] IRLR 154 – HC
Dietman v London Borough of Brent [1987] IRLR 259 – HC
Stubbes v Trower, Still & Keeling [1987] IRLR 321 – CA
Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA
Rigby v Ferodo Ltd [1987] IRLR 516 – HL and [1987] IRLR 61 – CA
Sim v Rotherham Metropolitan Borough Council, Townend v Doncaster Metropolitan Borough Council, Barnfield v Metropolitan Borough Council of Solihull, Rathbone v London Borough of Croydon [1986] IRLR 391 – HC
Bliss v South East Thames Regional Health Authority [1985] IRLR 308 – CA
Gill and others v Cape Contracts Ltd [1985] IRLR 499 – NIHC
Strathclyde Regional Council v Neil [1984] IRLR 14 and 11
Shove v Downs Surgical plc [1984] IRLR 17 – HC
Doyle v Trafford Borough Council [1984] IRLR 184 – HC
Westwood v Secretary of State for Employment [1984] IRLR 209 – HL

92 Remedies – Declaration

Mihlenstedt v Barclays Bank International Ltd and another [1989] IRLR 522 – CA
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC

93 Remedies – Injunction

Dobb v London Borough of Hammersmith and Fulham [1991] IRLR 72 – HC
Lansing Linde Ltd v Kerr [1991] IRLR 80 – CA
Dalgleish and others v Lothian and Borders Police Board [1991] IRLR 422 – CS
Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd [1990] IRLR 55 – HC
Wakeman and others v South West Thames Regional Health Authority and London Ambulance Service [1990] IRLR 70 – HC
Wadcock v London Borough of Brent [1990] IRLR 223 – HC
Lawrence David Ltd v Ashton [1989] IRLR 22 – CA
Provident Financial Group plc and another v Hayward [1989] IRLR 84 – CA
Warren v Mendy and another [1989] IRLR 210 – CA
In re a company's application [1989] IRLR 477 – HC
Lock International plc v Beswick and others [1989] IRLR 481 – HC
Mihlenstedt v Barclays Bank International and another [1989] IRLR 522 – CA
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Ali v London Borough of Southwark [1988] IRLR 100 – HC
MacPherson v London Borough of Lambeth [1988] IRLR 470 – HC
Rex Stewart Jeffries Parker Ginsberg Ltd v Parker and another [1988] IRLR 483 – CA
Evening Standard Co Ltd v Henderson [1987] IRLR 64 – CA
Dietman v London Borough of Brent [1987] IRLR 259 – HC
Powell v London Borough of Brent [1987] IRLR 466 – CA
Roger Bullivant Ltd and others v Ellis and others [1987] IRLR 491 – CA
Johnson & Bloy (Holdings) Ltd and Johnson & Bloy Ltd v Wolstenholme Rink plc and Fallon [1987] IRLR 499 – CA
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC

194 Remedies – Order of certiorari

Calveley and others v Merseyside Police [1986] IRLR 177 – CA
R v Hertfordshire County Council ex parte National Union of Public Employees and others and R v East Sussex County Council ex parte National Union of Public Employees and others [1985] IRLR 258 – CA
R v Liverpool City Corporation ex parte Ferguson and Ferguson [1985] IRLR 501 – HC
R v East Berkshire Health Authority [1984] IRLR 278 – CA
Snaith, In Re [1982] IRLR 157 – NIHC
R v BBC ex parte Lavelle [1982] IRLR 404 – HC

195 Remedies – Anton Piller Order

Lock International plc v Beswick and others [1989] IRLR 481 – HC

196 Remedies – Specific performance

Alexander and others v Standard Telephones & Cables Ltd and Wall and others v Standard Telephones & Cables Ltd [1990] IRLR 55 – HC
Wadcock v London Borough of Brent [1990] IRLR 223 – HC
Wishart v National Association of Citizens' Advice Bureaux Ltd [1990] IRLR 393 – CA
Warren v Mendy and another [1989] IRLR 210 – CA
Hughes and others v London Borough of Southwark [1988] IRLR 55 – HC
Powell v London Borough of Brent [1987] IRLR 466 – CA
Irani v Southampton and South-West Hampshire Health Authority [1985] IRLR 203 – HC
City and Hackney Health Authority v National Union of Public Employees and others [1985] IRLR 252 – CA
R v BBC ex parte Lavelle [1982] IRLR 404 – HC

197 Remedies – Restitution

Horcal Ltd v Gatland [1984] IRLR 288 – CA and [1983] IRLR 459 – HC
Avon County Council v Howlett [1983] IRLR 171 – CA

200 UNFAIR DISMISSAL

Bowater plc v Charlwood [1991] IRLR 340

211 Exclusions and qualifications – Meaning of "employee"

Ironmonger v Movefield Ltd [1988] IRLR 461
Davies v Presbyterian Church of Wales [1986] IRLR 194 – HL
President of the Methodist Conference v Parfitt [1984] IRLR 141 – CA
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] IRLR 240 – CA and [1983] IRLR 103
O'Kelly and others v Trusthouse Forte plc [1983] IRLR 369 – CA
Hawley v Fieldcastle & Co Ltd [1982] IRLR 223
Tracey v Zest Equipment Co Ltd [1982] IRLR 268

211.1 Exclusions and qualifications – Meaning of "employee" – Illegal contract

Hewcastle Catering Ltd v Ahmed and another [1991] IRLR 473 – CA
Broaders v Kalkare Property Maintenance Ltd [1990] IRLR 421

212 Exclusions and qualifications – Claim in time

Jean Sorelle Ltd v Rybak [1991] IRLR 153
St Basil's Centre v McCrossan [1991] IRLR 455
Thompson v GEC Avionics Ltd [1991] IRLR 488
City & Hackney Health Authority v Crisp [1990] IRLR 47
James W Cook & Co (Wivenhoe) Ltd v Tipper and others [1990] IRLR 386 – CA
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS
Ford v Stakis Hotels & Inns Ltd [1988] IRLR 46
Alex Munro (Butchers) Ltd v Nicol [1988] IRLR 49
Machine Tool Industry Research Association v Simpson [1988] IRLR 212 – CA
Batchelor v British Railways Board [1987] IRLR 136 – CA
Shepherd F C & Co Ltd v Jerrom [1985] IRLR 275
Leech v Preston Borough Council [1985] IRLR 337
London Borough of Newham v Ward [1985] IRLR 509 – CA
Palmer and Saunders v Southend-on-Sea Borough Council [1984] IRLR 119 – CA
Swainston v Hetton Victory Club Ltd [1983] IRLR 164 – CA
Churchill v Yeates & Son Ltd [1983] IRLR 187
Slack v Greenham (Plant Hire) Ltd [1983] IRLR 271
TBA Industrial Products Ltd v Morland [1982] IRLR 331 – CA

213 Exclusions and qualifications – Service qualification

Roach v CSB (Moulds) Ltd [1991] IRLR 200
R v Secretary of State for Employment ex parte Equal Opportunities Commission [1991] IRLR 493 – HC
Hancill v Marcon Engineering Ltd [1990] IRLR 51
Macer v Abafast Ltd [1990] IRLR 137
Harber v North London Polytechnic [1990] IRLR 198 – CA
Cowell v Quilter Goodison & Co Ltd and another [1989] 392 – CA
Society of Licensed Victuallers v Chamberlain [1989] IRLR 421
Pinkney v Sandpiper Drilling Ltd and others [1989] IRLR 425
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Lanton Leisure Ltd v White and Gibson [1987] IRLR 119
Byrne v City of Birmingham District Council [1987] IRLR 191 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11
West v Kneels Ltd [1986] IRLR 430
Ingram v Foxon [1985] IRLR 5
Jeetle v Elster [1985] IRLR 227
Hyland v JH Barker (North-West) Ltd [1985] IRLR 403
General of the Salvation Army v Dewsbury [1984] IRLR 222
Hair Colour Consultants Ltd v Mena [1984] IRLR 386
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA
Hawley v Fieldcastle & Co Ltd [1982] IRLR 223
Stapp v Shaftesbury Society [1982] IRLR 326 – CA

213.3 Exclusions and qualifications – Service qualification – 20 or less employees

Strudwick v IBL [1988] IRLR 457
Harford v Swiftrim Ltd [1987] IRLR 360
South West Launderettes Ltd v Laidler [1986] IRLR 305 – CA
Cox v ELG Metals Ltd [1984] IRLR 3
Poparm Ltd v Weekes [1984] IRLR 388

214 Exclusions and qualifications – Upper age limit

Brooks and others v British Telecommunications plc [1991] IRLR 4
Barber v Thames Television plc [1991] IRLR 236
Whittle v Manpower Services Commission [1987] IRLR 441
Swaine v Health and Safety Executive [1986] IRLR 205
Secretary of State for Scotland v Meikle [1986] IRLR 208
Highlands & Islands Development Board v MacGillivray [1986] IRLR 210 – CS
Hughes v DHSS, Coy v DHSS, DOE v Jarnell [1985] IRLR 263 – HL, [1984] IRLR 360 – CA and [1983] IRLR 474
Secretary of State for Trade v Douglas [1983] IRLR 63
Waite v Government Communications Headquarters [1983] IRLR 341 – HL and [1983] IRLR 161 – CA
Age Concern Scotland v Hines [1983] IRLR 477
Duke v Reliance Systems Ltd [1982] IRLR 347

215.1 Exclusions and qualifications – Excluded cases – Work ordinarily outside GB

Wood v Cunard Line [1990] IRLR 281 – CA and [1989] IRLR 431
Weston v Vega Space Systems Engineering Ltd [1989] IRLR 429
Cox v ELG Metals Ltd [1984] IRLR 3

218 Exclusions and qualifications – Agreement precluding complaint

Freeman v Sovereign Chicken Ltd [1991] IRLR 408
Logan Salton v Durham County Council [1989] IRLR 99
Hennessy v Craigmyle & Co Ltd and ACAS [1986] IRLR 300 – CA and [1985] IRLR 446
Courage Take Home Trade Ltd v Keys [1986] IRLR 427
Gilbert v Kembridge Fibres Ltd [1984] IRLR 52
Slack v Greenham (Plant Hire) Ltd [1983] IRLR 271
Milestone School of English Ltd v Leakey [1982]

IRLR 3
Moore v Duport Furniture Products Ltd and others [1982] IRLR 31 – HL
221 Was employee dismissed? – Termination by employer
Logan Salton v Durham County Council [1989] IRLR 99
Sovereign House Security Services Ltd v Savage [1989] IRLR 115 – CA
Kelly v Liverpool Maritime Terminals Ltd [1988] IRLR 310 – CA
Ironmonger v Movefield Ltd [1988] IRLR 461
Shook v London Borough of Ealing [1986] IRLR 46
Lucas v Norton of London Ltd [1984] IRLR 86
McKnight v Adlestones (Jewellers) Ltd [1984] IRLR 453 – NICA
Hindle Gears Ltd v McGinty and others [1984] IRLR 477
British Broadcasting Corporation v Beckett [1983] IRLR 43
Martin v Yeomen Aggregates Ltd [1983] IRLR 49
Stern J&J v Simpson [1983] IRLR 52
Norris v Southampton City Council [1982] IRLR 145
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
Stapp v Shaftesbury Society [1982] IRLR 326 – CA
221.5 Was employee dismissed? – Termination by employer – Employee's notice during notice period
Thompson v GEC Avionics Ltd [1991] IRLR 488
222 Was employee dismissed? – Termination by agreement/offer of new employment
Logan Salton v Durham County Council [1989] IRLR 99
Igbo v Johnson Matthey Chemicals Ltd [1986] IRLR 215 – CA and [1985] IRLR 189
McKnight v Adlestones (Jewellers) Ltd [1984] IRLR 453 – NICA
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
223 Was employee dismissed? – Resignation/ employee repudiation
Sovereign House Security Services Ltd v Savage [1989] IRLR 115 – CA
Shepherd F C & Co Ltd v Jerrom [1985] IRLR 275
Martin v MBS Fastenings (Glynwed) Distribution Ltd [1983] IRLR 198 – CA
Barclay v City of Glasgow District Council [1983] IRLR 313
224 Was employee dismissed? – Employer repudiation/constructive dismissal
White v Reflecting Roadstuds Ltd [1991] IRLR 331
Polentarutti v Autokraft Ltd [1991] IRLR 457
Hilton International Hotels (UK) Ltd v Protopapa [1990] IRLR 316
Morrison v Amalgamated Transport & General Workers' Union [1989] IRLR 361 – NICA
Shepherd F C & Co Ltd v Jerrom [1986] IRLR 358 – CA and [1985] IRLR 275
Cawley v South Wales Electricity Board [1985] IRLR 89
Harrison v Norwest Holst Group Administration Ltd [1985] IRLR 240 – CA
Lewis v Motorworld Garages Ltd [1985] IRLR 465 – CA
British Broadcasting Corporation v Beckett [1983] IRLR 43
Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] IRLR 46
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
224.1 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in status, title or grade
Harrison v Norwest Holst Group Administration Ltd [1985] IRLR 240 – CA and [1984] IRLR 419
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] IRLR 179
British Broadcasting Corporation v Beckett [1983] IRLR 43
Wadham Stringer Commercials (London) Ltd and Wadham Stringer Vehicles Ltd v Brown [1983] IRLR 46
224.2 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in job content
McNeil v Messrs Charles Crimin (Electrical Contractors) Ltd [1984] IRLR 179
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
224.3 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in pay or fringe benefits
Delabole Slate Ltd v Berriman [1985] IRLR 305 – CA
224.4 Was employee dismissed? – Employer repudiation/constructive dismissal – Change in place of work
Prestwick Circuits Ltd v McAndrew [1990] IRLR 191 – CS and [1988] IRLR 514
United Bank Ltd v Akhtar [1989] IRLR 507
Courtaulds Northern Spinning Ltd v Sibson and TGWU [1988] IRLR 305 – CA
224.6 Was employee dismissed? – Employer repudiation/constructive dismissal – Employee's safety
Dutton & Clark Ltd v Daly [1985] IRLR 363
224.9 Was employee dismissed? – Employer repudiation/constructive dismissal – Other circumstances entitling the employee to terminate
Reid v Camphill Engravers [1990] IRLR 268
Bracebridge Engineering Ltd v Darby [1990] IRLR 3
United Bank Ltd v Akhtar [1989] IRLR 507
Murco Petroleum Ltd v Forge [1987] IRLR 50
Bridgen v Lancashire County Council [1987] IRLR 58 – CA
Lewis v Motorworld Garages Ltd [1985] IRLR 465 – CA
225 Was employee dismissed? – Frustration of contract
Williams v Watsons Luxury Coaches Ltd [1990] IRLR 164
Shepherd F C & Co Ltd v Jerrom [1986] IRLR 358 – CA and [1985] IRLR 275
Norris v Southampton City Council [1982] IRLR 141
226 Date of termination
Thompson v GEC Avionics Ltd [1991] IRLR 488
Octavius Atkinson & Sons Ltd v Morris [1989] IRLR 158 – CA
Lanton Leisure Ltd v White and Gibson [1987] IRLR 119
Batchelor v British Railways Board [1987] IRLR 136 – CA
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL
West v Kneels Ltd [1986] IRLR 430
Leech v Preston Borough Council [1985] IRLR 337
London Borough of Newham v Ward [1985] IRLR 509 – CA
Stapp v Shaftesbury Society [1982] IRLR 326 – CA
TBA Industrial Products Ltd v Morland [1982] IRLR 331 – CA
230 Reason for dismissal
Hempell v WH Smith & Sons Ltd [1986] IRLR 95
Delabole Slate Ltd v Berriman [1985] IRLR 305 – CA
Maund v Penwith District Council [1984] IRLR 24 – CA
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Maintenance Co Ltd v Dormer [1982] IRLR 491
231 No reason for dismissal shown: evidence
Polentarutti v Autokraft Ltd [1991] IRLR 457
Post Office Counters Ltd v Heavey [1989] IRLR 513
Smith v City of Glasgow District Council [1987] IRLR 326 – HL
Shook v London Borough of Ealing [1986] IRLR 46
Adams v Derby City Council [1986] IRLR 163
Hannan v TNT-IPEC (UK) Ltd [1986] IRLR 165
Kent County Council v Gilham and others [1985] IRLR 18 – CA
Babar Indian Restaurant v Rawat [1985] IRLR 57
Maund v Penwith District Council [1984] IRLR 24 – CA and [1982] IRLR 388
Payne v Spook Erection Ltd [1984] IRLR 219
Grootcon (UK) Ltd v Keld [1984] IRLR 302
Hotson v Wisbech Conservative Club [1984] IRLR 422
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
McCrory v Magee [1983] IRLR 414 – NICA
232.1 Reason for dismissal – Capability – Skill/ competence
Whitbread & Co plc v Thomas and others [1988] IRLR 43
RSPCA v Cruden [1986] IRLR 83
Gair v Bevan Harris Ltd [1983] IRLR 368 – CS
232.2 Reason for dismissal – Capability – Health
A Links & Co Ltd v Rose [1991] IRLR 353 – CS
Slaughter v C Brewer & Sons Ltd [1990] IRLR 426
Trico-Folberth Ltd v Devonshire [1989] IRLR 396 – CA
Hooper v British Railways Board [1988] IRLR 517 – CA
Ford Motor Co Ltd v Nawaz [1987] IRLR 163
Shook v London Borough of Ealing [1986] IRLR 46
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434
Grootcon (UK) Ltd v Keld [1984] IRLR 302
Seymour v British Airways Board [1983] IRLR 55
Lewis v John Adamson & Co Ltd [1982] IRLR 233
233 Reason for dismissal – Qualifications
Tayside Regional Council v McIntosh [1982] IRLR 272
234 Reason for dismissal – Conduct
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Riley v Joseph Frisby Ltd [1982] IRLR 479
234.1 Reason for dismissal – Conduct – Attendance
Trico-Folberth Ltd v Devonshire [1989] IRLR 396 – CA
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
234.11 Reason for dismissal – Conduct – Attendance – Lateness
Stein v Associated Dairies Ltd [1982] IRLR 447
234.15 Reason for dismissal – Conduct – Attendance – Absenteeism
Lynock v Cereal Packaging Ltd [1988] IRLR 510
234.16 Reason for dismissal – Conduct – Attendance – Refusal to work hours requested
Brandon and Goold v Murphy Bros [1983] IRLR 54
234.18 Reason for dismissal – Conduct – Attendance – Unauthorised absence
Murray MacKinnon v Forno [1983] IRLR 7
Tracey v Zest Equipment [1982] IRLR 268
234.2 Reason for dismissal – Conduct – Inadequate performance
Whitbread & Co plc v Thomas and others [1988] IRLR 43
RSPCA v Cruden [1986] IRLR 83
Smith v City of Glasgow District Council [1985] IRLR 79 – CS
Henderson v Granville Tours Ltd [1982] IRLR 494
234.32 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in job content
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA
Trimble v Supertravel Ltd [1982] IRLR 451
234.33 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in pay
Chubb Fire Security Ltd v Harper [1983] IRLR 311
234.34 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to accept a change in place of work
Chubb Fire Security Ltd v Harper [1983] IRLR 311
234.36 Reason for dismissal – Conduct – Refusal to co-operate with management – Refusal to obey an order
Payne v Spook Erection Ltd [1984] IRLR 219
Lewis v John Adamson & Co Ltd [1982] IRLR 233
Wass W&J Ltd v Binns [1982] IRLR 283 – CA
234.41 Reason for dismissal – Conduct – Relationship with other employees – Violence
Gibson and others v British Transport Docks Board [1982] IRLR 228
Kingston v British Railways Board [1982] IRLR 274
234.5 Reason for dismissal – Conduct – Relationship with people other than employees
Whitbread & Co plc v Mills [1988] IRLR 501
234.51 Reason for dismissal – Conduct – Relationship with people other than employees – Customers
Rentokil Ltd v Mackin and another [1989] IRLR 286
234.6 Reason for dismissal – Conduct – Alleged or proven criminal acts
ILEA v Gravett [1988] IRLR 497
Hollier v Plysu Ltd [1983] IRLR 260 – CA
234.61 Reason for dismissal – Conduct – Alleged or proven criminal acts – Theft
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Post Office Counters Ltd v Heavey [1989] IRLR 513
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
234.63 Reason for dismissal – Conduct – Alleged or proven criminal acts – Offence unconnected with work
Mathewson v R B Wilson Dental Laboratory Ltd [1988] IRLR 512
234.7 Reason for dismissal – Conduct – Breach of company rules
Murray MacKinnon v Forno [1983] IRLR 7
Ladbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
234.76 Reason for dismissal – Conduct – Breach of company rules – Working in competition
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245
Nova Plastics Ltd v Froggatt [1982] IRLR 141
Rowe v Radio Rentals Ltd [1982] IRLR 177
234.77 Reason for dismissal – Conduct – Breach of company rules – Dishonesty
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Hotson v Wisbech Conservative Club [1984] IRLR 422

oyal Society for the Protection of Birds v Croucher [1984] IRLR 425
illifant v Powell Duffryn Timber Ltd [1983] IRLR 91
IcCrory v Magee [1983] IRLR 414 – NICA
orley's of Brixton Ltd v Minott [1982] IRLR 270
aintenance Co Ltd v Dormer [1982] IRLR 491
34.91 Reason for dismissal – Conduct – Failure o disclose criminal conviction
roperty Guards Ltd v Taylor and Kershaw [1982] IRLR 175
36 Other substantial reason for dismissal
adley v Eager Electrical Ltd [1986] IRLR 93
annan v TNT-IPEC (UK) Ltd [1986] IRLR 165
ent County Council v Gilham and others [1985] IRLR 18 – CA
ichmond Precision Engineering Ltd v Pearce [1985] IRLR 179
orth Yorkshire County Council v Fay [1985] IRLR 247 – CA
ingston v British Railways Board [1984] IRLR 146 – CA and [1982] IRLR 274
urphy v Epsom College [1984] IRLR 271 – CA and [1983] IRLR 395
rootcon (UK) Ltd v Keld [1984] IRLR 302
obie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA and [1983] IRLR 278
elman v GJ Oram [1983] IRLR 432
vans v Elemeta Holdings [1982] IRLR 143
36.5 Other substantial reason for dismissal – xpiration of fixed-term contract
abour Party v Oakley [1987] IRLR 79
37 Reason for dismissal – Inadmissible reason/ nion membership grounds
herm A Stor Ltd v Atkins and others [1983] IRLR 78 – CA
aund v Penwith District Council [1982] IRLR 399
37.11 Reason for dismissal – Inadmissible eason/union membership grounds – Trade nion – Membership
iscount Tobacco & Confectionery Ltd v Armitage [1990] IRLR 14
rtisan Press v Srawley and Parker [1986] IRLR 126
ath v Cruden Construction Ltd [1982] IRLR 9
37.12 Reason for dismissal – Inadmissible eason/union membership grounds – Trade nion – Activities
itzpatrick v British Railways Board [1991] IRLR 376 – CA
37.13 Reason for dismissal – Inadmissible eason/union membership grounds – Trade nion – Non-membership
rosville Motor Services Ltd v Ashfield [1986] IRLR 475
cGhee v Midland British Road Services Ltd [1985] IRLR 198
ome Delivery Services Ltd v Shackcloth [1984] IRLR 470
akals v United Counties Omnibus Co Ltd [1984] IRLR 474
ath v Cruden Construction Ltd [1982] IRLR 9
aylor v Co-operative Retail Services Ltd [1982] IRLR 354 – CA
38 Reason for dismissal – Pregnancy
layton v Vigers [1990] IRLR 177
rown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL, [1987] IRLR 230 – CA and [1986] IRLR 432
rimsby Carpet Co Ltd v Bedford [1987] IRLR 438
ucas v Norton of London Ltd [1984] IRLR 86
39 Reason for dismissal – Transfer of ndertaking
oodcock and others v Committee for the time being of the Friends School, Wigton and Genwise Ltd [1987] IRLR 98 – CA
ichmond Precision Engineering Ltd v Pearce [1985] IRLR 179
39.1 Reason for dismissal – Transfer of ndertaking – Whether reason connected with ransfer
itster and others v Forth Dry Dock & Engineering Co Ltd and another [1989] IRLR 161 – HL
eikle v McPhail (Charleston Arms) [1983] IRLR 351
39.2 Reason for dismissal – Transfer of ndertaking – Economic, technical or rganisational reason
rawford v Swinton Insurance Brokers Ltd [1990] IRLR 42
itster and others v Forth Dry Dock & Engineering Co Ltd (formerly Forth Estuary Engineering Ltd) and another [1989] IRLR 161 – HL and [1986] IRLR 59
ateway Hotels Ltd v Stewart and others [1988] IRLR 287
heeler v Patel and J Golding Group of Companies [1987] IRLR 211
enton v Stablegold Ltd [1986] IRLR 64
elabole Slate Ltd v Berriman [1985] IRLR 305 – CA
McGrath v Rank Leisure Ltd [1985] IRLR 323
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
240 Reason for dismissal – Redundancy
Polkey v Edmond Walker (Holdings) Ltd [1987] IRLR 13 – CA
241 Reason for dismissal – Redundancy – Whether reason for dismissal was redundancy
Brown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL, [1987] IRLR 230 – CA and [1986] IRLR 432
Lamont v Fry's Metals Ltd [1985] IRLR 470 – CA
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
Maund v Penwith District Council [1984] IRLR 24 – CA and [1982] IRLR 399
241.3 Reason for dismissal – Redundancy – Was dismissal for purposes of redundancy?
Babar Indian Restaurant v Rawat [1985] IRLR 57
241.32 Reason for dismissal – Redundancy – Was dismissal for purposes of redundancy? – Diminishing work requirements
McCrea v Cullen & Davison Ltd [1988] IRLR 30 – NICA
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
Pink v White and White & Co (Earls Barton) Ltd [1985] IRLR 489
Murphy v Epsom College [1984] IRLR 271 – CA and [1983] IRLR 395
Haden Ltd v Cowen [1982] IRLR 314 – CA and [1982] IRLR 225
242 Reason for dismissal – Redundancy – Selection for redundancy
Brown v Stockton-on-Tees Borough Council [1988] IRLR 263 – HL
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
Simpson A & Son (Motors) v Reid and Findlater [1983] IRLR 401
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
242.1 Reason for dismissal – Redundancy – Selection for redundancy – Circumstances applied equally to other employees holding similar positions
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
242.3 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of a customary arrangement
Rogers and others v Vosper Thornycroft (UK) Ltd [1989] IRLR 82 – CA and [1988] IRLR 229
Sheehan and others v Vosper Thornycroft (UK) Ltd [1989] IRLR 82 – CA
Suflex Ltd v Thomas and others [1987] IRLR 435
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.31 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of a customary arrangement – Special reasons for contravention
Suflex Ltd v Thomas and others [1987] IRLR 435
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.4 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of an agreed procedure
Henry v Ellerman City Liners Ltd [1984] IRLR 408 – CA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.41 Reason for dismissal – Redundancy – Selection for redundancy – Contravention of an agreed procedure – Special reasons for contravention
Robinson and others v Ulster Carpet Mills Ltd [1991] IRLR 348 – NICA
Cross International v Reid and others [1985] IRLR 387 – CA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
242.5 Reason for dismissal – Redundancy – Selection for redundancy – Company policy: reasonableness
BL Cars Ltd v Lewis [1983] IRLR 58
242.51 Reason for dismissal – Redundancy – Selection for redundancy – Company policy: reasonableness – Contravention of company policy
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
250 Sufficiency of reason for dismissal
Whitbread & Co plc v Mills [1988] IRLR 501
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL
Stacey v Babcock Power Ltd (Construction Division) [1986] IRLR 3
Cawley v South Wales Electricity Board [1985] IRLR 89
Greenall Whitley plc v Carr [1985] IRLR 289
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Savoia v Chiltern Herb Farms Ltd [1982] IRLR 166 – CA
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
251 Sufficiency of reason for dismissal – Onus of proof
Post Office Counters Ltd v Heavey [1989] IRLR 513
Howarth Timber (Leeds) Ltd v Biscomb [1986] IRLR 52
Smith v City of Glasgow District Council [1985] IRLR 79 – CS
Barratt Construction Ltd v Dalrymple [1984] IRLR 385
Murray MacKinnon v Forno [1983] IRLR 7
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Nova Plastics Ltd v Froggatt [1982] IRLR 146
Maund v Penwith District Council [1982] IRLR 399
252 Reasonableness in the circumstances: IR Code of Practice
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
252.11 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Fair and effective arrangements
Fuller v Lloyds Bank plc [1991] IRLR 336
Clark v Civil Aviation Authority [1991] IRLR 412
Spink v Express Foods Group Ltd [1990] IRLR 320
Louies v Coventry Hood & Seating Co Ltd [1990] IRLR 324
Slater v Leicestershire Health Authority [1989] IRLR 16 – CA
Moyes v Hylton Castle Working Men's Social Club & Institute Ltd [1986] IRLR 482
Read v Phoenix Preservation Ltd [1985] IRLR 93
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Rowe v Radio Rentals Ltd [1982] IRLR 177
Gibson and others v British Transport Docks Board [1982] IRLR 228
252.12 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Agreed with employee representatives
Brooks W & Son v Skinner [1984] IRLR 379
252.15 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Circumstances which can lead to penalty known
Denco Ltd v Joinson [1991] IRLR 63
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
Brooks W & Son Ltd v Skinner [1984] IRLR 379
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
252.17 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to state case
Fuller v Lloyds Bank plc [1991] IRLR 336
Spink v Express Foods Group Ltd [1990] IRLR 320
Louies v Coventry Hood & Seating Co Ltd [1990] IRLR 324
McLaren v National Coal Board [1988] IRLR 215 – CA
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA and [1986] IRLR 97
Read v Phoenix Preservation Ltd [1985] IRLR 93
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Kingston v British Railways Board [1984] IRLR 146 – CA and [1982] IRLR 274
Murray MacKinnon v Forno [1983] IRLR 7
Sillifant v Powell Duffryn Timber Ltd [1983] IRLR 91
Wass W&J Ltd v Binns [1982] IRLR 283 – CA
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439

Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Henderson v Granville Tours Ltd [1982] IRLR 494
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
252.18 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to be represented
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
252.19 Reasonableness in the circumstances: IR Code of Practice – Disciplinary procedure – Opportunity to appeal
Clark v Civil Aviation Authority [1991] IRLR 412
Post Office v Marney [1990] IRLR 170
Tower Hamlets Health Authority v Anthony [1989] IRLR 394 – CA and [1988] IRLR 331
Whitbread & Co plc v Mills [1988] IRLR 501
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL, [1985] IRLR 116 – CA and [1983] IRLR 276
Stein v Associated Dairies Ltd [1982] IRLR 447
252.2 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure
Whitbread & Co plc v Thomas and others [1988] IRLR 43
Whitbread & Co plc v Mills [1988] IRLR 501
RSPCA v Cruden [1986] IRLR 83
Stein v Associated Dairies Ltd [1982] IRLR 447
252.21 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure – Warnings
Auguste Noel Ltd v Curtis [1990] IRLR 326
Tower Hamlets Health Authority v Anthony [1989] IRLR 394 – CA and [1988] IRLR 331
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
252.22 Reasonableness in the circumstances: IR Code of Practice – Operating the disciplinary procedure – Gross misconduct: dismissal for first breach
Denco Ltd v Joinson [1991] IRLR 63
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
253 Reasonableness in the circumstances: Conduct and capability
Piggott Brothers & Co Ltd v Jackson and others [1991] IRLR 309 – CA
Parr v Whitbread plc [1990] IRLR 39
Rentokil Ltd v Mackin and another [1989] IRLR 286
Whitbread & Co plc v Thomas and others [1988] IRLR 43
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Shook v London Borough of Ealing [1986] IRLR 46
Hereford and Worcester County Council v Neale [1986] IRLR 168 – CA and [1985] IRLR 281
FC Shepherd & Co Ltd v Jerrom [1985] IRLR 275
Kingston v British Railways Board [1984] IRLR 146 – CA
Payne v Spook Erection Ltd [1984] IRLR 219
Murray MacKinnon v Forno [1983] IRLR 7
Brandon and Goold v Murphy Bros [1983] IRLR 54
Thomson v Alloa Motor Co Ltd [1983] IRLR 403
Property Guards Ltd v Taylor and Kershaw [1982] IRLR 175
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
Riley v Joseph Frisby Ltd [1982] IRLR 479
Maintenance Co Ltd v Dormer [1982] IRLR 491
253.11 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – Inquiry and investigation
Scottish Midland Co-operative Society Ltd v Cullion [1991] IRLR 261 – CS
British Gas plc v McCarrick [1991] IRLR 305 – CA
Piggott Brothers & Co Ltd v Jackson and others [1991] IRLR 309 – CA
Parr v Whitbread plc [1990] IRLR 39
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
Whitbread & Co plc v Thomas and others [1988] IRLR 43
ILEA v Gravett [1988] IRLR 497
Whitbread & Co plc v Mills [1988] IRLR 501
Read v Phoenix Preservation Ltd [1985] IRLR 93
Greenall Whitley plc v Carr [1985] IRLR 289
Siggs & Chapman (Contractors) Ltd v Knight [1984] IRLR 83
Royal Society for the Protection of Birds v Croucher [1984] IRLR 425
Sillifant v Powell Duffryn Timber Ltd [1983] IRLR 91
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Kingston v British Railways Board [1982] IRLR 274
Wass W&J Ltd v Binns [1982] IRLR 283 – CA
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Henderson v Granville Tours Ltd [1982] IRLR 494
Harris and Shepherd v Courage Eastern Ltd [1982] IRLR 509 – CA
253.12 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To establish validity of reason
Morgan v Electrolux Ltd [1991] IRLR 89 – CA
Scottish Midland Co-operative Society Ltd v Cullion [1991] IRLR 261 – CS
British Gas plc v McCarrick [1991] IRLR 305 – CA
Tele-Trading Ltd v Jenkins [1990] IRLR 430 – CA
Linfood Cash & Carry Ltd v Thomson and another [1989] IRLR 235
Ulsterbus Ltd v Henderson [1989] IRLR 251 – NICA
ILEA v Gravett [1988] IRLR 497
Whitbread & Co plc v Mills [1988] IRLR 501
Smith v City of Glasgow District Council [1987] IRLR 326 – HL and [1985] IRLR 79 – CS
Distillers Co (Bottling Services) Ltd v Gardner [1982] IRLR 47
Lewis v John Adamson & Co Ltd [1982] IRLR 233
253.13 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To warn of change in practice
W Brooks & Son Ltd v Skinner [1984] IRLR 379
253.14 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – Consistency
Cain v Leeds Western Health Authority [1990] IRLR 168
Securicor Ltd v Smith [1989] IRLR 356
253.15 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To remedy situation
Piggott Brothers & Co Ltd v Jackson and others [1991] IRLR 309 – CA
253.17 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To inform employee of reason for dismissal
Fuller v Lloyds Bank plc [1991] IRLR 336
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA and [1986] IRLR 97
253.18 Reasonableness in the circumstances: Conduct and capability – Employer responsibility – To attempt to find alternative employment
Gair v Bevan Harris Ltd [1983] IRLR 368 – CS
253.3 Reasonableness in the circumstances: Conduct and capability – Penalty related to offence
Post Office v Marney [1990] IRLR 170
Trusthouse Forte (Catering) Ltd v Adonis [1984] IRLR 382
British Broadcasting Corporation v Beckett [1983] IRLR 43
Ladbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Iceland Frozen Foods Ltd v Jones [1982] IRLR 439
253.4 Reasonableness in the circumstances: Conduct and capability – Injury or illness
Lynock v Cereal Packaging Ltd [1988] IRLR 510
Smiths Industries Aerospace & Defence Systems Ltd v Brookes [1986] IRLR 434
Lewis v John Adamson & Co Ltd [1982] IRLR 233
253.41 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Disabled employee
Seymour v British Airways Board [1983] IRLR 55
253.42 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Compliance with sick pay procedure
Hooper v British Railways Board [1988] IRLR 517 – CA
253.43 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Warning/consultation
A Links & Co Ltd v Rose [1991] IRLR 353 – CS
Hooper v British Railways Board [1988] IRLR 517 – CA
253.44 Reasonableness in the circumstances: Conduct and capability – Injury or illness – Attempt to find alternative employment
Hooper v British Railways Board [1988] IRLR 517 – CA
Shook v London Borough of Ealing [1986] IRLR 46
253.5 Reasonableness in the circumstances: Conduct and capability – Summary dismissal
Hooper v British Railways Board [1988] IRLR 517 – CA
BSC Sports & Social Club v Morgan [1987] IRLR 391
253.53 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Dishonesty
Hotson v Wisbech Conservative Club [1984] IRLR 422
253.55 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Gross misconduct
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS
Laughton and Hawley v Bapp Industrial Supplies Ltd [1986] IRLR 245
Tracey v Zest Equipment Co Ltd [1982] IRLR 268
253.56 Reasonableness in the circumstances: Conduct and capability – Summary dismissal – Offence unconnected with work
Mathewson v RB Wilson Dental Laboratory Ltd [1988] IRLR 512
253.6 Reasonableness in the circumstances: Conduct and capability – Breach of contract
Chubb Fire Security Ltd v Harper [1983] IRLR 311
254 Reasonableness in the circumstances – Redundancy
Robinson and others v Ulster Carpet Mills Ltd [1991] IRLR 348 – NICA
Forth Estuary Engineering Ltd v Litster and others [1988] IRLR 289 – CS and [1986] IRLR 59
Stacey v Babcock Power Ltd (Construction Division) [1986] IRLR 3
Rolls-Royce Motors Ltd v Dewhurst and others [1985] IRLR 184
McGrath v Rank Leisure Ltd [1985] IRLR 323
Henry v Ellerman City Liners Ltd [1984] IRLR 408 – CA
Grundy (Teddington) Ltd v Plummer and Salt [1983] IRLR 98
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Murphy v Epsom College [1983] IRLR 395
Simpson A & Son (Motors) v Reid and Findlater [1983] IRLR 401
Buchanan v Tilcon Ltd [1983] IRLR 417 – CS
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Cowen v Haden Ltd [1982] IRLR 225
Maund v Penwith District Council [1982] IRLR 399
254.1 Reasonableness in the circumstances – Redundancy – Attempt to find alternative employment
Octavius Atkinson & Sons Ltd v Morris [1989] IRLR 158 – CA
Labour Party v Oakley [1987] IRLR 79
Elliott v Richard Stump Ltd [1987] IRLR 215
MDH Ltd v Sussex [1986] IRLR 123
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Barratt Construction Ltd v Dalrymple [1984] IRLR 385
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
254.3 Reasonableness in the circumstances – Redundancy – Warning
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53
Williams and others v Compair Maxam Ltd [1982] IRLR 83
254.4 Reasonableness in the circumstances – Redundancy – Consultation
Hough and others v Leyland DAF Ltd [1991] IRLR 194
Mining Supplies (Longwall) Ltd v Baker [1988] IRLR 417
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL and [1987] IRLR 13 – CA
Howarth Timber (Leeds) Ltd v Biscomb [1986] IRLR 52
Graham v ABF Ltd [1986] IRLR 90
Holden v Bradville Ltd [1985] IRLR 483
Lafferty Construction Ltd v Duthie [1985] IRLR 487
Pink v (1) White and (2) White & Co (Earls Barton) Ltd [1985] IRLR 489
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
Tilgate Pallets Ltd v Barras and others [1983] IRLR 231
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Freud v Bentalls Ltd [1982] IRLR 443
254.5 Reasonableness in the circumstances – Redundancy – Basis of selection
Graham v ABF Ltd [1986] IRLR 90
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
Gray v Shetland Norse Preserving Co Ltd [1985] IRLR 53

Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Babar Indian Restaurant v Rawat [1985] IRLR 57
BL Cars Ltd v Lewis [1983] IRLR 58
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
Williams and others v Compair Maxam Ltd [1982] IRLR 83
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
254.6 Reasonableness in the circumstances – Redundancy – Applying the selection procedure
Stockton-on-Tees Borough Council v Brown [1986] IRLR 432
Green v A&I Fraser (Wholesale Fish Merchants) Ltd [1985] IRLR 55
Rolls-Royce Motors Ltd v Dewhurst and others [1985] IRLR 184
BL Cars Ltd v Lewis [1983] IRLR 58
Williams and others v Compair Maxam Ltd [1982] IRLR 83
256 Reasonableness in the circumstances – Other substantial reason
Oakley v Labour Party [1988] IRLR 34 – CA and [1987] IRLR 79
Wadley v Eager Electrical Ltd [1986] IRLR 93
Kent County Council v Gilham and others [1985] IRLR 18 – CA
Richmond Precision Engineering Ltd v Pearce [1985] IRLR 179
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA and [1983] IRLR 278
Chubb Fire Security Ltd v Harper [1983] IRLR 311
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Kelman v GJ Oram [1983] IRLR 432
Evans v Elemeta Holdings [1982] IRLR 143
257 Sufficiency of reason for dismissal – Equity and substantial merits of the case
Spink v Express Foods Group Ltd [1990] IRLR 320
Louies v Coventry Hood & Seating Co Ltd [1990] IRLR 324
Pritchett and Dyjasek v J McIntyre Ltd [1987] IRLR 18 – CA
West Midlands Co-operative Society Ltd v Tipton [1986] IRLR 112 – HL
Cadbroke Racing Ltd v Arnott and others [1983] IRLR 154 – CS
Dobie v Burns International Security Services (UK) Ltd [1983] IRLR 278
259 Sufficiency of reason for dismissal – Size and administrative resources of the undertaking
Brandon and Goold v Murphy Bros [1983] IRLR 54
Meikle v McPhail (Charleston Arms) [1983] IRLR 351
Henderson v Granville Tours Ltd [1982] IRLR 494
261 Dismissal and industrial action – Strike
McKenzie v Crosville Motor Services Ltd [1989] IRLR 516
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1987] IRLR 422 – CA
Hindle Gears Ltd v McGinty and others [1984] IRLR 477
Midland Plastics v Till and others [1983] IRLR 9
262 Dismissal and industrial action – Other industrial action
Manifold Industries Ltd v Sims and others [1991] IRLR 242
Midland Plastics v Till and others [1983] IRLR 9
Faust and others v Power Packing Casemakers Ltd [1983] IRLR 117 – CA
Naylor and others v Orton & Smith and MD Tweddell Engineering Ltd [1983] IRLR 233
263 Dismissal and industrial action – Selection for dismissal
Manifold Industries Ltd v Sims and others [1991] IRLR 242
Munir and another v Jang Publications Ltd [1989] IRLR 224 – CA
P&O European Ferries (Dover) Ltd v Byrne [1989] IRLR 254 – CA
Coates and Venables v Modern Methods & Materials Ltd [1982] IRLR 318 – CA
264 Dismissal and industrial action – Selection for offer of re-engagement
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1986] IRLR 477
Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
Highlands Fabricators Ltd v McLaughlin [1984] IRLR 482
Williams and others v National Theatre Board [1982] IRLR 377 – CA
266 Dismissal and industrial action – Date of dismissal
Bolton Roadways Ltd v Edwards and others [1987] IRLR 392
Express & Star Ltd v Bunday and others [1986] IRLR 477
267 Dismissal and industrial action – Lock-out
Express & Star Ltd v Bunday and others [1987] IRLR 422 – CA and [1986] IRLR 477
272 Re-employment – Where practicable
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
ILEA v Gravett [1988] IRLR 497
Boots Co plc v Lees-Collier [1986] IRLR 485
Freemans plc v Flynn [1984] IRLR 486
273 Re-employment – In accordance with equity
ILEA v Gravett [1988] IRLR 497
Boots Co plc v Lees-Collier [1986] IRLR 485
274 Re-employment – Reinstatement/re-engagement
Nairne v Highland & Islands Fire Brigade [1989] IRLR 366 – CS
Polkey v AE Dayton Services Ltd (formerly Edmund Walker (Holdings) Ltd) [1987] IRLR 503 – HL
Artisan Press v Srawley and Parker [1986] IRLR 126
Lilley Construction Ltd v Dunn [1984] IRLR 483
274.6 Re-employment – Reinstatement/re-engagement – Terms
O'Laoire v Jackel International Ltd [1991] IRLR 170 – CA
Electronic Data Processing Ltd v Wright [1986] IRLR 8
274.63 Re-employment – Reinstatement/re-engagement – Terms – Compensation – Interim loss
City & Hackney Health Authority v Crisp [1990] IRLR 47
O'Laoire v Jackel International Ltd [1990] IRLR 70 – CA
Conoco (UK) Ltd v Neal [1989] IRLR 51
Electronic Data Processing Ltd v Wright [1986] IRLR 8
274.66 Re-employment – Reinstatement/re-engagement – Terms – Compensation – Offsetting payments received
City & Hackney Health Authority v Crisp [1990] IRLR 47
274.91 Re-employment – Reinstatement/re-engagement – Failure to comply with order – Whether practicable
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
274.92 Re-employment – Reinstatement/re-engagement – Failure to comply with order – Remedy
O'Laoire v Jackel International Ltd [1990] IRLR 70 – CA
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
275 Interim relief
British Coal Corporation v McGinty [1988] IRLR 7
280 Compensation
Conoco (UK) Ltd v Neal [1989] IRLR 51
281 Compensation – Just and equitable in all the circumstances
James W Cook & Co (Wivenhoe) Ltd v Tipper and others [1990] IRLR 386 – CA
Slaughter v C Brewer & Sons Ltd [1990] IRLR 426
Tele-Trading Ltd v Jenkins [1990] IRLR 430 – CA
Trico-Folberth Ltd v Devonshire [1989] IRLR 396
Isleworth Studios Ltd v Rickard [1988] IRLR 137
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA and [1986] IRLR 388
Kinzley v Minories Finance Ltd [1987] IRLR 490
Courage Take Home Trade Ltd v Keys [1986] IRLR 427
Shepherd F C & Co Ltd v Jerrom [1985] IRLR 275
Finnie v Top Hat Frozen Foods [1985] IRLR 365
Iggesund Converters Ltd v Lewis [1984] IRLR 431
MBS Ltd v Calo [1983] IRLR 189
283 Compensation – Compensatory award
Fentiman v Fluid Engineering Products Ltd [1991] IRLR 150
O'Laoire v Jackel International Ltd [1991] IRLR 170 – CA
Hough and others v Leyland DAF Ltd [1991] IRLR 194
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
Mining Supplies (Longwall) Ltd v Baker [1988] IRLR 417
Morton v Chief Adjudication Officer [1988] IRLR 444 – CA
Forth Estuary Engineering Ltd v Litster and others [1986] IRLR 59
Finnie v Top Hat Frozen Foods [1985] IRLR 365
Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Lucas and others v Laurence Scott Electromotors Ltd [1983] IRLR 61
Robinson v Carrickfergus Borough Council [1983] IRLR 122 – NICA
MBS Ltd v Calo [1983] IRLR 189
Les Ambassadeurs Club v Bainda [1982] IRLR 5
Gardiner-Hill v Roland Berger Technics Ltd [1982] IRLR 498
283.1 Compensation – Compensatory award – Past loss
Gilham and others v Kent County Council [1986] IRLR 56
Abbotts and Standley v Wesson-Glynwed Steels Ltd [1982] IRLR 51
283.11 Compensation – Compensatory award – Past loss – Notice period
O'Laoire v Jackel International Ltd [1991] IRLR 170 – CA
Isleworth Studios Ltd v Rickard [1988] IRLR 137
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
283.13 Compensation – Compensatory award – Past loss – Recoupment
Mason v Wimpey Waste Management Ltd and Secretary of State for Employment [1982] IRLR 454
283.2 Compensation – Compensatory award – Future loss
James W Cook & Co (Wivenhoe) Ltd v Tipper and others [1990] IRLR 386 – CA
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
Shepherd F C & Co Ltd v Jerrom [1985] IRLR 275
283.22 Compensation – Compensatory award – Future loss – Long term
Holroyd v Gravure Cylinders Ltd [1984] IRLR 259
283.5 Compensation – Compensatory award – Loss of protection against unfair dismissal
S H Muffett Ltd v Head [1986] IRLR 488
283.7 Compensation – Compensatory award – Loss of pension rights
Mono Pumps Ltd v Froggatt and Radford [1987] IRLR 368
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Freemans plc v Flynn [1984] IRLR 486
Manpower Ltd v Hearne [1983] IRLR 281
283.8 Compensation – Compensatory award – Loss of service-related notice entitlement
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
284 Compensation – Mitigation of loss
Prestwick Circuits Ltd v McAndrew [1990] IRLR 191 – CS
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
City & Hackney Health Authority v Crisp [1990] IRLR 47
Fyfe v Scientific Furnishings Ltd [1989] IRLR 331
McAndrew v Prestwick Circuits Ltd [1988] IRLR 514
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
Scottish & Newcastle Breweries plc v Halliday [1986] IRLR 291
William Muir (Bond 9) Ltd v Lamb [1985] IRLR 95
Martin v Yeomen Aggregates Ltd [1983] IRLR 49
Trimble v Supertravel Ltd [1982] IRLR 451
Gardiner-Hill v Roland Berger Technics Ltd [1982] IRLR 498
285 Compensation – Contributory fault
Walter Braund (London) Ltd v Murray [1991] IRLR 100
Hough and others v Leyland DAF Ltd [1991] IRLR 194
Polentarutti v Autokraft Ltd [1991] IRLR 457
Slaughter v C Brewer & Sons Ltd [1990] IRLR 426
Tele-Trading Ltd v Jenkins [1990] IRLR 430 – CA
Morrison v Amalgamated Transport & General Workers' Union [1989] IRLR 361 – NICA
Nairne v Highland & Islands Fire Brigade [1989] IRLR 366 – CS
Whitbread & Co plc v Mills [1988] IRLR 501
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
RSPCA v Cruden [1986] IRLR 83
Crosville Motor Services Ltd v Ashfield [1986] IRLR 475
Moyes v Hylton Castle Working Men's Social Club & Institute Ltd [1986] IRLR 482
Boots Co plc v Lees-Collier [1986] IRLR 485
Shepherd FC & Co Ltd v Jerrom [1985] IRLR 275
Finnie v Top Hat Frozen Foods [1985] IRLR 365

Courtaulds Northern Spinning Ltd v Moosa [1984] IRLR 43
TBA Industrial Products Ltd v Locke [1984] IRLR 48
Holroyd v Gravure Cylinders Ltd [1984] IRLR 259
Warrilow v Robert Walker Ltd [1984] IRLR 304
Iggesund Converters Ltd v Lewis [1984] IRLR 431
Murray MacKinnon v Forno [1983] IRLR 7
Hollier v Plysu Ltd [1983] IRLR 260 – CA
Les Ambassadeurs Club v Bainda [1982] IRLR 5
Ladup Ltd v Barnes [1982] IRLR 7
Allen v Hammett [1982] IRLR 89
Property Guards Ltd v Taylor and Kershaw [1982] IRLR 175
Gibson and others v British Transport Docks Board [1982] IRLR 228
Dunn v Pochin (Contractors) Ltd [1982] IRLR 449
Trimble v Supertravel Ltd [1982] IRLR 451
286 Compensation – Additional award
Mabirizi v Hospital for Nervous Diseases [1990] IRLR 133
Morganite Electrical Carbon Ltd v Donne [1987] IRLR 363
Freemans plc v Flynn [1984] IRLR 486
287 Compensation – Deductions
Roadchef Ltd v Hastings [1988] IRLR 142
Babcock FATA Ltd v Addison [1987] IRLR 173 – CA and [1986] IRLR 388
Horizon Holidays Ltd v Grassi [1987] IRLR 371
McCarthy v British Insulated Callenders Cables plc [1985] IRLR 94
Finnie v Top Hat Frozen Foods [1985] IRLR 365
TBA Industrial Products Ltd v Locke [1984] IRLR 48
MBS Ltd v Calo [1983] IRLR 189
288 Compensation – Basic award
Fenton v Stablegold Ltd [1986] IRLR 64
RSPCA v Cruden [1986] IRLR 83
Shove v Downs Surgical plc [1984] IRLR 17 – HC
Les Ambassadeurs Club v Bainda [1982] IRLR 5
289.5 Compensation – Review
Ladup Ltd v Barnes [1982] IRLR 7
289.6 Compensation – Special award
Artisan Press v Srawley and Parker [1986] IRLR 126
289.7 Compensation – Other aspects – Upper limit
Walter Braund (London) Ltd v Murray [1991] IRLR 100
O'Laoire v Jackel International Ltd [1990] IRLR 70 – CA
292 Costs
Colin Johnson v Baxter [1985] IRLR 96
Davidson v John Calder (Publishers) Ltd and Calder Educational Trust Ltd [1985] IRLR 97
Stein v Associated Dairies Ltd [1982] IRLR 447
293 Tribunal procedure
Telephone Information Services Ltd v Wilkinson [1991] IRLR 148
Bowater plc v Charlwood [1991] IRLR 340
Slaughter v C Brewer & Sons Ltd [1990] IRLR 426
Conoco (UK) Ltd v Neal [1989] IRLR 51
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] IRLR 222 – CA
Munir and another v Jang Publications Ltd [1989] IRLR 224 – CA
Arthur Guinness Son & Co (GB) Ltd v Green [1989] IRLR 288
British Coal Corporation v McGinty [1988] IRLR 7
Alex Munro (Butchers) Ltd v Nicol [1988] IRLR 49
Aberdeen Steak Houses Group plc v Ibrahim [1988] IRLR 420
O'Keefe v Southampton City Council [1988] IRLR 424
ILEA v Gravett [1988] IRLR 497
Hooper v British Railways Board [1988] IRLR 517 – CA
Dietman v London Borough of Brent and Wahlstrom v London Borough of Brent [1987] IRLR 146 – CA
Morris v London Iron and Steel Co Ltd [1987] IRLR 182 – CA
Kinzley v Minories Finance Ltd [1987] IRLR 490
Peter Simper & Co Ltd v Cooke [1986] IRLR 19
Hannan v TNT-IPEC (UK) Ltd [1986] IRLR 165
Anandarajah v Lord Chancellor's Department [1984] IRLR 131
Hotson v Wisbech Conservative Club [1984] IRLR 422
Iggesund Converters Ltd v Lewis [1984] IRLR 431
Lilley Construction Ltd v Dunn [1984] IRLR 483
Murphy v Epsom College [1983] IRLR 395
Lamont v Fry's Metals Ltd [1983] IRLR 434
Milestone School of English Ltd v Leakey [1982] IRLR 3
Gibson and others v British Transport Docks Board [1982] IRLR 228
Morley's of Brixton Ltd v Minott [1982] IRLR 270
Dean v Islamic Foundation [1982] 290 – CA
Trimble v Supertravel Ltd [1982] IRLR 451
293.5 Pre-hearing assessment
Ferodo Ltd v Bradbury and another [1990] IRLR 95
Mackie v John Holt Vintners Ltd [1982] IRLR 236
297 No waiver of rights
Igbo v Johnson Matthew Chemicals Ltd [1986] IRLR 215 – CA and [1985] IRLR 189
Moore v Duport Furniture Products Ltd and others [1982] IRLR 31 – HL
298 Discovery and further particulars
P&O European Ferries (Dover) Ltd v Byrne [1989] IRLR 254 – CA
Ford Motor Co Ltd v Nawaz [1987] IRLR 163
Birds Eye Walls Ltd v Harrison [1985] IRLR 47
Dean v Islamic Foundation [1982] 290 – CA
299 Adviser's negligence
Siraj-Eldin v Campbell Middleton Burness & Dickson [1989] IRLR 208 – CS

300 REDUNDANCY PAYMENTS
311 Exclusions and qualifications – Meaning of "employee"
Eaton v Robert Eaton Ltd and Secretary of State for Employment [1988] IRLR 83
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
312 Exclusions and qualifications – Claim in time
Greenwich Health Authority v Skinner and another [1989] IRLR 238
Stevens and others v Bexley Health Authority [1989] IRLR 240
313 Exclusions and qualifications – Service qualification
Berwick Salmon Fisheries Co Ltd v Rutherford and others [1991] IRLR 203
R v Secretary of State for Employment ex parte Equal Opportunities Commission [1991] IRLR 493 – HC
Tipper v Roofdec Ltd [1989] IRLR 419
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Lewis v Surrey County Council [1987] IRLR 509 – HL, [1986] IRLR 455 – CA and [1986] IRLR 11
Flack and others v Kodak Ltd [1986] IRLR 255 – CA and [1985] IRLR 443
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180
Ford v Warwickshire County Council [1983] IRLR 126 – HL and [1982] IRLR 246 – CA
320 Was employee dismissed?
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA
321 Was employee dismissed? – Termination by employer
Mowlem Northern Ltd v Watson [1990] IRLR 500
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
Caledonian Mining Co Ltd v Bassett and Steel [1987] IRLR 165
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA and [1984] IRLR 54
321.1 Was employee dismissed? – Termination by employer – Renewal or re-engagement
SI (Systems & Instruments) Ltd v Grist and Riley [1983] IRLR 391
321.3 Was employee dismissed? – Termination by employer – Termination of fixed-term contract
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
321.4 Was employee dismissed? – Termination by employer – Employee's notice during notice period
CPS Recruitment Ltd v Bowen and Secretary of State for Employment [1982] IRLR 54
322 Was employee dismissed? – Termination by agreement
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
Brown and others v Knowsley Borough Council [1986] IRLR 102
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA and [1984] IRLR 54
CPS Recruitment Ltd v Bowen and Secretary of State for Employment [1982] IRLR 54
323 Was employee dismissed? – Resignation – Employee repudiation
Scott and others v Coalite Fuels and Chemicals Ltd [1988] IRLR 131
324 Was employee dismissed? – Employer repudiation/constructive dismissal
Caledonian Mining Co Ltd v Bassett and Steel [1987] IRLR 165
Marley v Forward Trust Group Ltd [1986] IRLR 43
Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] IRLR 471
325 Was employee dismissed? – Frustration of contract
Tipper v Roofdec Ltd [1989] IRLR 419
326 Change in ownership of business
Dabell v Vale Industrial Services (Nottingham) Ltd and others [1988] IRLR 439 – CA
Secretary of State for Employment v Cohen and Beaupress Ltd [1987] IRLR 169
Secretary of State for Employment v Spence and others [1986] IRLR 248 – CA
Atkin v Ward and Haines Watts [1983] IRLR 285
SI (Systems & Instruments) Ltd v Grist and Riley [1983] IRLR 391
Premier Motors (Medway) Ltd v Total Oil Great Britain Ltd and others [1983] IRLR 471
327 Date of termination
Secretary of State for Employment v Staffordshire County Council [1989] IRLR 117 – CA and [1988] IRLR 3
Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
330 Was dismissal due to redundancy?
Goricrtee Ltd v Jenkinson [1984] IRLR 391
Anderson and McAlonie v Dalkeith Engineering Ltd [1984] IRLR 429
Canning v Niaz and McLoughlin [1983] IRLR 431
331.1 Was dismissal due to redundancy? – Onus of proof – Statutory presumption
Willcox and another v Hastings and another [1987] IRLR 298 – CA
332.3 Was dismissal due to redundancy? – Cessation of business – Place of work
Rank Xerox Ltd v Churchill and others [1988] IRLR 280
333 Was dismissal due to redundancy? – Diminishing work requirements
Tipper v Roofdec Ltd [1989] IRLR 419
Association of University Teachers v University of Newcastle-upon-Tyne [1988] IRLR 10
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA
North Yorkshire County Council v Fay [1985] IRLR 247 – CA
341 Offer of alternative employment – In writing
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
342 Offer of alternative employment – Suitability
Spencer and Griffin v Gloucestershire County Council [1985] IRLR 393 – CA
343 Offer of alternative employment – Reasonable refusal
Spencer and Griffin v Gloucestershire County Council [1985] IRLR 393 – CA and [1985] IRLR 59
345 Offer of alternative employment – Trial period
Benton v Sanderson Kayser Ltd [1989] IRLR 19 – CA and [1988] IRLR 235
Elliot v Richard Stump Ltd [1987] IRLR 215
Hempell v WH Smith & Sons Ltd [1986] IRLR 95
McKindley v William Hill (Scotland) Ltd [1985] IRLR 492
350 Lay-offs
Walmsley v C&R Ferguson Ltd [1989] IRLR 112 – CS
Kenneth MacRae & Co Ltd v Dawson [1984] IRLR 5
370 Calculation of payment
Secretary of State for Employment v Cheltenham Computer Bureau [1985] IRLR 333
373 Calculation of payment – Average weekly rate of remuneration
R v Secretary of State for Employment ex parte Equal Opportunities Commission [1991] IRLR 493 – HC
British Coal Corporation (formerly NCB) v Cheesbrough and Secretary of State for Employment [1990] IRLR 146 – HL, [1988] IRLR 351 – CA and [1988] IRLR 84
Keywest Club Ltd v Choudhury and others [1988] IRLR 51
Secretary of State for Employment v Crane [1988] IRLR 238
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] IRLR 11
Donelan v Kerrby Construction Ltd and Secretary of State for Employment [1983] IRLR 191
375 Calculation of payment – Normal working hours
Lotus Cars Ltd v Sutcliffe and Stratton [1982] IRLR 381 – CA
377 Calculation of payment – Supervening misconduct dismissal
Bonner v H Gilbert Ltd [1989] IRLR 474
378 Calculation of payment – Pension offset
Royal Ordnance plc v Pilkington [1989] IRLR 489 – CA and [1988] IRLR 466
380 Contractual redundancy payments

Greenwich Health Authority v Skinner and another [1989] IRLR 238
Stevens and others v Bexley Health Authority [1989] IRLR 240
393 Tribunal procedure
British Newspaper Printing Corporation (North) Ltd v Kelly and others [1989] IRLR 222 – CA
394 Redundancy Fund
Secretary of State for Employment v Levy [1989] IRLR 469
395 Redundancy rebates
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
Secretary of State for Employment v Cheltenham Computer Bureau [1985] IRLR 333
Secretary of State for Employment v John Woodrow & Sons (Builders) Ltd [1983] IRLR 11
397 No waiver of rights
Secretary of State for Employment v Staffordshire County Council and Secretary of State for Employment v Cameron Iron Works [1989] IRLR 117 – CA
Secretary of State for Employment v Deary and others and Cambridgeshire County Council [1984] IRLR 180

400 INDIVIDUAL'S RIGHT TO TRADE UNION MEMBERSHIP AND ACTIVITIES
410 Right to trade union membership
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA and [1986] IRLR 379
R v Secretary of State for Foreign and Commonwealth Affairs ex parte Council of Civil Service Unions and others [1985] IRLR 28 – HL, [1984] IRLR 353 – CA and [1984] IRLR 309 – HC
411 Right to non-membership
Sakals v United Counties Omnibus Co Ltd [1984] IRLR 474
482 Remedies – Compensation
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA
491 Claim in time
British Airways Board v Clark and Havill [1982] IRLR 238
492 Costs
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA

500 EQUAL PAY
501 Meaning of "employment"
Quinnen v Hovells [1984] IRLR 227
511 Exclusions – Retirement or death terms or provisions
Stevens and others v Bexley Health Authority [1989] IRLR 240
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Worringham and Humphreys v Lloyds Bank Ltd [1982] IRLR 74 – CA
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
513 Exclusions – Claim in time
British Railways Board v Paul [1988] IRLR 20
520 Terms and conditions of employment less favourable
Barber v Guardian Royal Exchange Assurance Group [1990] IRLR 240 – ECJ
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL
521 Terms and conditions of employment less favourable – Pay
Benveniste v University of Southampton [1989] IRLR 122 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL, [1987] IRLR 186 – CA and [1986] IRLR 287
524 Work rated as equivalent – Job evaluation study
Leverton v Clwyd County Council [1989] IRLR 28 – HL
525 Terms and conditions of employment less favourable – Redundancy payment
McKechnie v UBM Building Supplies (Southern) Ltd [1991] IRLR 283
Barber v Guardian Royal Exchange Assurance Group [1990] IRLR 240 – ECJ
Kowalska v Freie und Hansestadt Hamburg [1990] IRLR 447 – ECJ
Stevens and others v Bexley Health Authority [1989] IRLR 240
Secretary of State for Employment v Levy [1989] IRLR 469
Hammersmith and Queen Charlotte's Special Health Authority v Cato [1987] IRLR 483
528 Terms and conditions of employment less favourable – Pension/retirement provisions
Roberts v Birds Eye Walls Ltd [1991] IRLR 19
Barber v Guardian Royal Exchange Assurance Group [1990] IRLR 240 – ECJ
Barclays Bank plc v James [1990] IRLR 90
530 Like work
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
533 Like work – Whether differences are of practical importance
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
534 Like work – Comparison with employee in the same employment
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
540 Work rated as equivalent
Commission of the European Communities v United Kingdom of Great Britain and NI [1982] IRLR 333 – ECJ
542 Work rated as equivalent – Job evaluation study
McAuley and others v Eastern Health and Social Services Board [1991] IRLR 467 – NICA
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Arnold v Beecham Group Ltd [1982] IRLR 307
545 Work of equal value – Scope of claims
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL and [1987] IRLR 186 – CA
Murphy and others v Bord Telecom Eireann [1988] IRLR 267 – ECJ
Pickstone and others v Freemans plc [1988] IRLR 357 – HL, [1987] IRLR 218 – CA and [1986] IRLR 335
546 Work of equal value – Screening hearing
Leverton v Clwyd County Council [1989] IRLR 28 – HL
Davies v McCartneys [1989] IRLR 439
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
Dennehy v Sealink UK Ltd [1987] IRLR 120
546.1 Work of equal value – Screening hearing – Onus of proof
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Neil and others v Ford Motor Co Ltd [1984] IRLR 339
546.2 Work of equal value – Screening hearing – Work previously evaluated
McAuley and others v Eastern Health and Social Services Board [1991] IRLR 467 – NICA
Dibro Ltd v Hore and others [1990] IRLR 129
Avon County Council v 1. Foxall and others and 2. Webb and others [1989] IRLR 435
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
546.3 Work of equal value – Screening hearing – Discriminatory evaluations
Bromley and others v H&J Quick Ltd [1988] IRLR 249 – CA and [1987] IRLR 456
Neil and others v Ford Motor Co Ltd [1984] IRLR 339
547 Work of equal value – Independent expert's report
Aldridge v British Telecommunications plc [1990] IRLR 10
Tennants Textile Colours Ltd v Todd [1989] IRLR 3 – NICA
Leverton v Clwyd County Council [1989] IRLR 28 – HL
Hayward v Cammell Laird Shipbuilders Ltd [1984] IRLR 463
550 Material factor defence
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
McPherson v Rathgael Centre and Northern Ireland Office [1991] IRLR 206 – NICA
Benveniste v University of Southampton [1989] IRLR 122 – CA
Davies v McCartneys [1989] IRLR 439
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] IRLR 22 – HC
Hayward v Cammell Laird Shipbuilders Ltd [1988] IRLR 257 – HL
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
552 Material factor defence – Grading
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
556 Material factor defence – Personal differential
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
557 Material factor defence – Historical reasons
McPherson v Rathgael Centre and Northern Ireland Office [1991] IRLR 206 – NICA
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL, [1985] IRLR 414 – CS and [1984] IRLR 88
559.1 Material factor defence – Hours of work
Leverton v Clwyd County Council [1989] IRLR 29 – HL and [1988] IRLR 239 – CA
559.2 Material factor defence – Economic circumstances of the employer
Benveniste v University of Southampton [1989] IRLR 122 – CA
559.3 Material factor defence – Market forces
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
Rainey v Greater Glasgow Health Board [1985] IRLR 414 – CS
559.4 Material factor defence – Collective agreement
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
561 Comparison with employees in other establishments – Common terms and conditions
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Lawson and others v Britfish Ltd [1988] IRLR 53
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
562 Comparison with employees in other establishments – Whether employers are associated
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
570 Collective agreements
Kowalska v Freie und Hansestadt Hamburg [1990] IRLR 447 – ECJ
582 Damages – Arrears of remuneration
Dibro Ltd v Hore and others [1990] IRLR 129
British Railways Board v Paul [1988] IRLR 20
593 Tribunal procedure
Ashmore v British Coal Corporation [1990] IRLR 283 – CA
Aldridge v British Telecommunications plc [1990] IRLR 10
Dibro Ltd v Hore and others [1990] IRLR 129
Leverton v Clwyd County Council [1989] IRLR 28 – HL
Lloyds Bank plc v Fox and others [1989] IRLR 103
Avon County Council v 1. Foxall and others and 2. Webb and others [1989] IRLR 435
R v Secretary of State for Social Services and others ex parte Clarke and others [1988] IRLR 22 – HC
Reed Packaging Ltd v Boozer and another [1988] IRLR 333
Thomas and others v NCB and Barker v NCB [1987] IRLR 451
Hayward v Cammell Laird Shipbuilders Ltd [1984] IRLR 463
596 Discovery and further particulars
Byrne and others v Financial Times Ltd [1991] IRLR 417
Clwyd County Council v Leverton [1985] IRLR 197
598 Effect of European Community law
Roberts v Birds Eye Walls Ltd [1991] IRLR 19
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
Secretary of State for Scotland and Greater Glasgow Health Board v Wright and Hannah [1991] IRLR 187
Nimz v Freie und Hansestadt Hamburg [1991] IRLR 222 – ECJ
McKechnie v UBM Building Supplies (Southern) Ltd [1991] IRLR 283
R v Secretary of State for Employment ex parte Equal Opportunities Commission [1991] IRLR 493 – HC
Barber v Guardian Royal Exchange Assurance Group [1990] IRLR 240 – ECJ
Kowalska v Freie und Hansestadt Hamburg [1990] IRLR 447 – ECJ
Leverton v Clwyd County Council [1989] IRLR 28 – HL and [1988] IRLR 239 – CA
Hasley v Fair Employment Agency [1989] IRLR 106 – NICA
Stevens and others v Bexley Health Authority [1989] IRLR 240
Secretary of State for Employment v Levy [1989] IRLR
Rinner-Kühn v FWW Spezial-Gebäudereinigung GmbH & Co KG [1989] IRLR 493 – ECJ
Danfoss (Handels-OG Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening) [1989] IRLR 532 – ECJ
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Leverton v Clwyd County Council [1988] IRLR 239 – CA
Hayward v Cammell Laird Shipbuilders Ltd [1988]

IRLR 257 – HL, [1987] IRLR 186 – CA and [1986] IRLR 287
Murphy and others v Bord Telecom Eireann [1988] IRLR 267 – ECJ
Pickstone and others v Freemans plc [1988] IRLR 357 – HL and [1987] IRLR 218 – CA
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
Rummler v Dato-Druck GmbH [1987] IRLR 32 – ECJ
Hammersmith and Queen Charlotte's Special Health Authority v Cato [1987] IRLR 483
Bilka-Kaufhaus GmbH v Weber Von Hartz [1986] IRLR 317 – ECJ
Worringham and Humphreys v Lloyds Bank Ltd [1982] IRLR 74 – CA
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
Commission of the European Communities v United Kingdom of Great Britain and NI [1982] IRLR 333 – ECJ

600 SEX DISCRIMINATION
601 Meaning of "employee"
Mirror Group Newspapers Ltd v Gunning [1986] IRLR 27 – CA and [1985] IRLR 60
Quinnen v Hovells [1984] IRLR 227
611 Direct discrimination
Bullock v Alice Ottley School [1991] IRLR 324
Barclays Bank plc v James [1990] IRLR 90
Webb v Emo Air Cargo (UK) Ltd [1990] IRLR 124
Dornan v Belfast City Council [1990] IRLR 179 – NICA
Baker v Cornwall County Council [1990] IRLR 194 – CA
James v Eastleigh Borough Council [1990] IRLR 288 – HL and [1989] IRLR 318 – CA
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] IRLR 64 – NIHC
R v Birmingham City Council ex parte EOC [1989] IRLR 173 – HL, [1988] IRLR 430 – CA and [1988] IRLR 96 – HC
Strathclyde Regional Council v Porcelli [1986] IRLR 134 – CS
Newstead v Department of Transport and HM Treasury [1985] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Gill and Coote v El Vinos Co Ltd [1983] IRLR 206 – CA
Brennan v JH Dewhurst Ltd [1983] IRLR 357
Horsey v Dyfed County Council [1982] IRLR 395
612 Indirect discrimination
James v Eastleigh Borough Council [1990] IRLR 288 – HL
Clarke and Powell v Eley (IMI Kynoch Ltd) [1982] IRLR 131
612.1 Indirect discrimination – Requirement/ condition with which fewer of particular sex can comply
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
Briggs v North Eastern Education and Library Board [1990] IRLR 181 – NICA
Greater Manchester Police Authority v Lea [1990] IRLR 372
Jones v Chief Adjudication Officer [1990] IRLR 533 – CA
Clymo v Wandsworth London Borough Council [1989] IRLR 241
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Greater Glasgow Health Board v Carey [1987] IRLR 484
Home Office v Holmes [1984] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Francis and others v British Airways Engineering Overhaul Ltd [1982] IRLR 10
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR – EAT 482 and [1982] IRLR 131 – IT
612.15 Indirect discrimination – Requirement/ condition with which fewer of particular sex can comply – Full-time work
Briggs v North Eastern Education and Library Board [1990] IRLR 181 – NICA
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Pearse v City of Bradford Metropolitan Council [1988] IRLR 379
Kidd v DRG (UK) Ltd [1985] IRLR 190
Home Office v Holmes [1984] IRLR 299
612.2 Indirect discrimination – Whether justifiable
Briggs v North Eastern Education and Library Board [1990] IRLR 181 – NICA
Greater Manchester Police Authority v Lea [1990] IRLR 372
Jones v Chief Adjudication Officer [1990] IRLR 533 – CA
Clymo v Wandsworth Borough Council [1989] IRLR 241
Cobb and others v Secretary of State for Employment and Manpower Services Commission [1989] IRLR 464
Rainey v Greater Glasgow Health Board [1987] IRLR 26 – HL
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Greater Glasgow Health Board v Carey [1987] IRLR 484
Kidd v DRG (UK) Ltd [1985] IRLR 190
Home Office v Holmes [1984] IRLR 299
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
612.3 Indirect discrimination – To detriment
Briggs v North Eastern Education and Library Board [1990] IRLR 181 – NICA
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Turner v Labour Party and Labour Party Superannuation Society [1987] IRLR 101 – CA
Home Office v Holmes [1984] IRLR 299
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Clarke v Eley (IMI) Kynoch Ltd and Eley (IMI) Kynoch Ltd v Powell [1982] IRLR 482 – EAT and [1982] IRLR 131 – IT
613.1 Discrimination against men – Special treatment of women in connection with pregnancy
Webb v Emo Air Cargo (UK) Ltd [1990] IRLR 124
614.2 Discrimination against married persons – Indirect discrimination
Kidd v DRG (UK) Ltd [1985] IRLR 190
615 Relevant circumstances the same or not materially different
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
Bullock v Alice Ottley School [1991] IRLR 324
Bain v Bowles and others [1991] IRLR 356 – CA
James v Eastleigh Borough Council [1990] IRLR 288 – HL
Webb v Emo Air Cargo (UK) Ltd [1990] IRLR 124
Equal Opportunities Commission for Northern Ireland's Application, Re [1989] IRLR 64 – NIHC
Pearse v City of Bradford Metropolitan Council [1988] IRLR 379
Kidd v DRG (UK) Ltd [1985] IRLR 190
Hayes v Malleable Working Men's Club and Institute and Maughan v North East London Magistrates' Court Committee [1985] IRLR 367
Horsey v Dyfed County Council [1982] IRLR 395
616 Victimisation
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Cornelius v University College of Swansea [1987] IRLR 141 – CA
617 Pregnancy discrimination
Berrisford v Woodard Schools (Midland Division) Ltd [1991] IRLR 247
618 Sexual harassment
Bracebridge Engineering Ltd v Darby [1990] IRLR 3
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Cornelius v University College of Swansea [1987] IRLR 141 – CA
Snowball v Gardner Merchant Ltd [1987] IRLR 397
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
Strathclyde Regional Council v Porcelli [1986] IRLR 134 – CS and [1984] IRLR 467
622 Exclusions and exceptions – Claim in time
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Foster v South Glamorgan Health Authority [1988] IRLR 277
623.1 Exclusions and exceptions – Excluded cases – Less than six employees
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
Oliver v JP Malnick & Co [1983] IRLR 456
623.2 Exclusions and exceptions – Excluded cases – Private households
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
623.3 Exclusions and exceptions – Excluded cases – Midwives
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
623.4 Exclusions and exceptions – Excluded cases – Work ordinarily outside GB
Haughton v Olau Line (UK) Ltd [1986] IRLR 465 – CA
624.31 Exclusions and exceptions – Overlap with Equal Pay Act – Contravention of equality clause – Material factor defence
Barclays Bank plc v James [1990] IRLR 90
625 Exclusions and exceptions – Retirement or death provisions
Foster and others v British Gas plc [1991] IRLR 268 – HL, [1990] IRLR 353 – ECJ and [1988] IRLR 354 – CA
Finnegan v Clowney Youth Training Programme Ltd [1990] IRLR 299 – HL
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ, [1985] IRLR 299
Duke v GEC Reliance (formerly Reliance Systems Ltd) [1988] IRLR 118 – HL and [1987] IRLR 139 – CA
Rolls-Royce plc v Doughty [1987] IRLR 447
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ and [1983] IRLR 237
Roberts v Tate & Lyle Industries Ltd [1986] IRLR 150 – ECJ
Barber v Guardian Royal Exchange Assurance Group and Roberts v Tate & Lyle Food & Distribution [1983] IRLR 240
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ and [1982] IRLR 257 – HL
Burton v British Railways Board [1982] IRLR 116 – ECJ
626.2 Exclusions and exceptions – Genuine occupational qualifications – Decency or privacy
Etam plc v Rowan [1989] IRLR 150
Sisley v Britannia Security Systems Ltd [1983] IRLR 404
626.3 Exclusions and exceptions – Genuine occupational qualifications – Employee lives on premises
Sisley v Britannia Security Systems Ltd [1983] IRLR 404
627 Exclusions and exceptions – National security etc
Johnston v Chief Constable of the Royal Ulster Constabulary [1986] IRLR 263 – ECJ
631 Discrimination by employers – Selection arrangements
Brennan v JH Dewhurst Ltd [1983] IRLR 357
632 Discrimination by employers – Terms offered
Clymo v Wandsworth London Borough Council [1989] IRLR 241
633 Discrimination by employers – Refusal to offer employment
Dornan v Belfast City Council [1990] IRLR 179 – NICA
Baker v Cornwall County Council [1990] IRLR 194 – CA
634 Discrimination by employers – Promotion, transfer or training
Dornan v Belfast City Council [1990] IRLR 179 – NICA
Baker v Cornwall County Council [1990] IRLR 194 – CA
Watches of Switzerland Ltd v Savell [1983] IRLR 141
Francis and others v British Airways Engineering Overhaul Ltd [1982] IRLR 10
635 Discrimination by employers – Benefits, facilities or services
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Clymo v Wandsworth London Borough Council [1989] IRLR 241
636 Discrimination by employers – Dismissal
Berrisford v Woodard Schools (Midland Division) Ltd [1991] IRLR 247
R v London Borough of Hammersmith and Fulham ex parte NALGO and others [1991] IRLR 249 – HC
Bullock v Alice Ottley School [1991] IRLR 324
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ
Roberts v Tate & Lyle Industries Ltd [1986] IRLR 150 – ECJ
Hayes v Malleable Working Men's Club and Institute and Maughan v North East London Magistrates' Court Committee [1985] IRLR 367
Clarke and Powell v Eley (IMI) Kynoch Ltd [1982] IRLR 131
637 Discrimination by employers – Other detriments
Bracebridge Engineering Ltd v Darby [1990] IRLR 3
Calder v James Finlay Corporation Ltd [1989] IRLR 55
Clymo v Wandsworth London Borough Council [1989] IRLR 241
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
De Souza v Automobile Association [1986] IRLR 103 – CA
Strathclyde Regional Council v Porcelli [1986] IRLR

134 – CS and [1984] IRLR 467
Home Office v Holmes [1984] IRLR 299
645 Liability of employers and principals
Bracebridge Engineering Ltd v Darby [1990] IRLR 3
Balgobin and Francis v London Borough of Tower Hamlets [1987] IRLR 401
652 Discrimination by others than employers – Trade unions
Enderby v Frenchay Health Authority and Secretary of State for Health [1991] IRLR 44
654 Discrimination by others than employers – Education authorities
R v Birmingham City Council ex parte EOC [1989] IRLR 173 – HL, [1988] IRLR 430 – CA and [1988] IRLR 96 – HC
655 Discrimination by others than employers – Providers of facilities or services
Bain v Bowles and others [1991] IRLR 356 – CA
James v Eastleigh Borough Council [1989] IRLR 318 – CA
Gill and Coote v El Vinos Co Ltd [1983] IRLR 206 – CA
667 Positive action – Control compliance
R v London Borough of Islington ex parte Building Employers' Confederation [1989] IRLR 382 – HC
681 Individual remedies – Compensation
Marshall v Southampton and South-West Hampshire Area Health Authority (No. 2) [1990] IRLR 481 – CA and [1988] IRLR 325
Wileman v Minilec Engineering Ltd [1988] IRLR 144
681.1 Individual remedies – Compensation – Intention to discriminate
Clarke and Powell v Eley (IMI Kynoch Ltd) [1982] IRLR 131
681.2 Individual remedies – Compensation – Injury to feelings
Wileman v Minilec Engineering Ltd [1988] IRLR 144
Snowball v Gardner Merchant Ltd [1987] IRLR 397
681.22 Compensation – Injury to feelings – Aggravated damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
681.3 Individual remedies – Compensation – Loss of earnings and other benefits
Marshall v Southampton and South-West Hampshire Area Health Authority (No. 2) [1990] IRLR 481 – CA and [1988] IRLR 325
Wileman v Minilec Engineering Ltd [1988] IRLR 144
681.6 Compensation – Exemplary damages
City of Bradford Metropolitan Council v Arora [1991] IRLR 165 – CA and [1989] IRLR 442
681.94 Individual remedies – Compensation – Interest
Marshall v Southampton and South-West Hampshire Area Health Authority (No. 2) [1990] IRLR 481 – CA, [1989] IRLR 459 and [1988] IRLR 325
693 Tribunal procedure
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
Snowball v Gardner Merchant Ltd [1987] IRLR 397
694 Forms for questioning
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
Greater Glasgow Health Board v Carey [1987] IRLR 484
696 Discovery
Dean v Islamic Foundation [1982] IRLR 290 – CA
698 Effect of European Community law
"Integrity" v Rouvroy [1991] IRLR 176 – ECJ
Dekker v Stichting Vormingscentrum Voor Jonge Volwassenen (NJV-Centrum) Plus [1991] IRLR 27 – ECJ
Hertz v Aldi Marked K/S (sub nom Handels- og Kontorfunktionaerernes Forbund i Danmark v Dansk Arbejdsgiverforening) [1991] IRLR 31 – ECJ
Secretary of State for Scotland and Greater Glasgow Health Board v Wright and Hannah [1991] IRLR 187
Berrisford v Woodard Schols (Midland Division) Ltd [1991] IRLR 247
Foster and others v British Gas plc [1991] IRLR 268 – HL
Finnegan v Clowney Youth Training Programme Ltd [1990] IRLR 299 – HL
Foster and others v British Gas plc [1990] IRLR 353 – ECJ and [1988] IRLR 354 – CA
Thomas v Adjudication Officer and Secretary of State for Employment [1990] IRLR 436 – CA
Marshall v Southampton and South-West Hampshire Area Health Authority (No. 2) [1990] IRLR 481 – CA, [1989] IRLR 459 and [1988] IRLR 325
Jones v Chief Adjudication Officer [1990] IRLR 533 – CA
Clymo Ltd v Wandsworth London Borough Council [1989] IRLR 241
Secretary of State for Employment v Levy [1989] IRLR 469
Newstead v Department of Transport and HM Treasury [1988] IRLR 66 – ECJ and [1985] IRLR 299
Duke v GEC Reliance (formerly Reliance Systems Ltd) [1988] IRLR 118 – HL and [1987] IRLR 139 – CA
Foster v South Glamorgan Health Authority [1988] IRLR 277
R v Secretary of State for Education ex parte Schaffter [1987] IRLR 53 – HC
Rolls-Royce plc v Doughty [1987] IRLR 447
Marshall v Southampton and South-West Hampshire Area Health Authority (Teaching) [1986] IRLR 140 – ECJ and [1983] IRLR 237
Roberts v Tate & Lyle Industries Ltd [1986] IRLR 150 – ECJ
Johnston v Chief Constable of the Royal Ulster Constabulary [1986] IRLR 263 – ECJ
Newstead v Department of Transport and HM Treasury [1985] IRLR 299
Commission of the European Communities v United Kingdom of Great Britain and NI [1984] IRLR 29 – ECJ
Barber v Guardian Royal Exchange Assurance Group and Roberts v Tate & Lyle Food & Distribution Ltd [1983] IRLR 240
Garland v British Rail Engineering Ltd [1982] IRLR 111 – ECJ, and [1982] IRLR 257 – HL
Burton v British Railways Board [1982] IRLR 116 –ECJ

700 RACE RELATIONS
701 Meaning of "employee"
Daley v Allied Suppliers Ltd [1983] IRLR 14
711 Direct discrimination
British Gas plc v Sharma [1991] IRLR 101
King v The Great Britain-China Centre [1991] IRLR 513 – CA
Carrington v Helix Lighting Ltd [1990] IRLR 6
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
West Midlands Passenger Transport Executive v Singh [1988] IRLR 186 – CA
Noone v North West Thames Regional Health Authority [1988] IRLR 195 – CA and [1987] IRLR 357
London Borough of Barking & Dagenham v Camara [1988] IRLR 373
Simon v Brimham Associates [1987] IRLR 307 – CA
De Souza v Automobile Association [1986] IRLR 103 – CA
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
Chiu v British Aerospace plc and others [1982] IRLR 56
Perera v Civil Service Commission and Department of Customs and Excise [1982] IRLR 147
Din v Carrington Viyella Ltd (Jersey Kapwood Ltd) [1982] IRLR 281
Owen & Briggs v James [1982] IRLR 502 – CA
712 Indirect discrimination
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
712.1 Indirect discrimination – Requirement/condition with which fewer of a racial group can comply
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
Hampson v Department of Education and Science [1988] IRLR 87
Meer v London Borough of Tower Hamlets [1988] IRLR 399 – CA
Orphanos v Queen Mary College [1985] IRLR 349 – HL
Raval v DHSS and Civil Service Commission [1985] IRLR 370
Mandla and Mandla v Lee and Park Grove Private School Ltd [1983] IRLR 209 – HL and [1983] IRLR 17 – CA
Perera v Civil Service Commission and Department of Customs and Excise [1983] IRLR 166 – CA and [1982] IRLR 147
Chiu v British Aerospace plc and others [1982] IRLR 56
712.16 Indirect discrimination – Requirement/condition with which fewer of a racial group can comply – Age
Perera v Civil Service Commission and Department of Customs and Excise [1982] IRLR 147
712.2 Indirect discrimination – Whether justifiable
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
Hampson v Department of Education and Science [1989] IRLR 69 – CA and [1988] IRLR 87
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712.3 Indirect discrimination – To detriment
Raval v DHSS and Civil Service Commission [1985] IRLR 370
713 Racial grounds or group
London Borough of Lambeth v CRE [1990] IRLR 231 – CA
Simon v Brimham Associates [1987] IRLR 307 – CA
R v CRE ex parte Westminster City Council [1985] IRLR 426 – CA and [1984] IRLR 230 – HC
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
713.3 Racial grounds or group – Nationality
Dhatt v McDonalds Hamburgers Ltd [1991] IRLR 130 – CA
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713.4 Racial grounds or group – Ethnic origins
Crown Suppliers (PSA) v Dawkins [1991] IRLR 327
Commission for Racial Equality v Dutton [1989] IRLR 8 – CA
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713.5 Racial grounds or group – National origins
Tejani v Superintendent Registrar for the District of Peterborough [1986] IRLR 502 – CA
Mandla and Mandla v Lee and Park Grove Private School Ltd [1983] IRLR 17 – CA
715 Victimisation
Dimtsu v Westminster City Council [1991] IRLR 450
Aziz v Trinity Street Taxis [1988] IRLR 204 – CA and [1986] IRLR 435
716 Relevant circumstances the same or not materially different
Dhatt v McDonalds Hamburgers Ltd [1991] IRLR 130 – CA
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722 Exclusions and exceptions – Claim in time
Barclays Bank plc v Kapur and others [1991] IRLR 137 – HL, [1989] IRLR 387 – CA and [1989] IRLR 57
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723.4 Exclusions and exceptions – Excluded cases – Work ordinarily outside GB
Deria and others v General Council of British Shipping [1986] IRLR 108 – CA
726 Exclusions and exceptions – Genuine occupational qualification
Tottenham Green Under Fives' Centre v Marshall (No. 2) [1991] IRLR 162
Tottenham Green Under Fives' Centre v Marshall [1989] IRLR 147
726.5 Exclusions and exceptions – Genuine occupational qualification – Provision of personal services
Tottenham Green Under Fives' Centre v Marshall (No. 2) [1991] IRLR 162
London Borough of Lambeth v CRE [1990] IRLR 231 – CA and [1989] IRLR 379
Tottenham Green Under Fives' Centre v Marshall [1989] IRLR 147
728 Exclusions and exceptions – Acts done under statutory authority
Hampson v Department of Education and Science [1990] IRLR 302 – HL and [1988] IRLR 87
General Medical Council v Goba [1988] IRLR 425
731 Discrimination by employers – Selection arrangements
Meer v London Borough of Tower Hamlets [1988] IRLR 399 – CA
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732 Discrimination by employers – Terms offered
Barclays Bank plc v Kapur and others [1989] IRLR 57
733 Discrimination by employers – Refusal to offer employment
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Din v Carrington Viyella Ltd (Jersey Kapwood Ltd) [1982] IRLR 281
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734 Discrimination by employers – Promotion, transfer or training
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735 Discrimination by employers – Benefits, facilities or services
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736 Discrimination by employers – Dismissal
R v London Borough of Hammersmith and Fulham ex parte NALGO and others [1991] IRLR 249 – HC
737 Discrimination by employers – Detriments
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BL Cars and another v Brown and others [1983] IRLR 193
742 Discriminatory advertising
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743 Instructions to discriminate
Showboat Entertainment Centre Ltd v Owens [1984] IRLR 7
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Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] IRLR 315
744 Pressure to discriminate
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745 Liability of employers and principals
Irving and Irving v Post Office [1987] IRLR 289 – CA
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Kingston v British Railways Board [1982] IRLR 274
751 Discrimination by others than employers – Qualifying bodies
Hampson v Department of Education and Science [1989] IRLR 69 – CA
753 Discrimination by other than employers – Vocational training bodies
Ojutiku and Oburoni v MSC [1982] IRLR 418 – CA
755 Discrimination by others than employers – Providers of facilities or services
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756 Discrimination by others than employers – Employment agencies
Commission for Racial Equality v Imperial Society of Teachers of Dancing [1983] IRLR 315
760 Positive action
London Borough of Lambeth v CRE [1990] IRLR 231 – CA
771 Enforcement by CRE – Formal investigation
Prestige Group plc, In re [1984] IRLR 166 – HL and [1983] IRLR 408 – HC
Commission for Racial Equality v Amari Plastics Ltd [1982] IRLR 252 – CA
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772 Enforcement by CRE – Issue of non-discrimination notice
R v Commission for Racial Equality ex parte Westminster City Council [1985] IRLR 426 – CA and [1984] IRLR 230 – HC
773 Enforcement by CRE – Appeal against non-discrimination notice
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781 Individual remedies – Compensation
Orphanos v Queen Mary College [1985] IRLR 349 – HL
781.2 Individual remedies – Compensation – Injury to feelings
Alexander v Home Office [1988] IRLR 190 – CA
Noone v North West Thames Regional Health Authority [1988] IRLR 195 – CA and [1987] IRLR 357
781.22 Compensation – Injury to feelings – Aggravated damages
City of Bradford Metropolitan Council v Arora [1989] IRLR 442
781.6 Compensation – Exemplary damages
City of Bradford Metropolitan Council v Arora [1991] IRLR 165 – CA and [1989] IRLR 442
782 Individual remedies – Action recommendation
British Gas plc v Sharma [1991] IRLR 101
North West Thames Regional Health Authority v Noone [1987] IRLR 357 and No.2 [1988] IRLR 530 – CA
785.1 Individual remedies – Other redress – Appeal under an enactment
R v Department of Health ex parte Gandhi [1991] IRLR 431 – HC
785.2 Individual remedies – Other redress – Complainant in armed forces
R v Army Board of the Defence Council ex parte Anderson [1991] IRLR 425 – HC
793 Tribunal procedure
Dimtsu v Westminster City Council [1991] IRLR 450
Carrington v Helix Lighting Ltd [1990] IRLR 6
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796 Discovery
Carrington v Helix Lighting Ltd [1990] IRLR 6
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British Library v Palyza and Mukherjee [1984] IRLR 306
797 Further particulars
Carrington v Helix Lighting Ltd [1990] IRLR 6
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Dean v Islamic Foundation [1982] IRLR 290 – CA

800 EMPLOYMENT PROTECTION RIGHTS
810 Written reason for dismissal
Harvard Securities plc v Younghusband [1990] IRLR 16
Catherine Haigh Harlequin Hair Design v Seed [1990] IRLR 175
Gilham and others v Kent County Council [1985] IRLR 16 – CA and [1983] IRLR 353
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Cartwright v G Clancey Ltd [1983] IRLR 355
830 Maternity pay
Cooner v P S Doal & Sons [1988] IRLR 338
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Larsen v Henderson [1990] IRLR 512 – CS
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Coales v John Wood & Co (Solicitors) [1986] IRLR 129
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Gregory v Tudsbury Ltd [1982] IRLR 267

900 MISCELLANEOUS LEGISLATION
Johnstone v Bloomsbury Health Authority [1991] IRLR 118 – CA
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920 Truck Acts/Wages Act
Bristow v City Petroleum Co Ltd [1987] IRLR 340 – HL and [1985] IRLR 459 – HC
Riley v Joseph Frisby [1982] IRLR 479
921 Unlawful deduction from wages
Greg May (CF & C) Ltd v Dring [1990] IRLR 19
Chiltern House Ltd v Chambers and others [1990] IRLR 88
New Centurion Trust v Welch and another [1990] IRLR 123
York City & District Travel Ltd v Smith [1990] IRLR 213
Foster Wheeler (London) Ltd v Jackson [1990] IRLR 412 and [1989] IRLR 283
921.1 Unlawful deduction from wages – Meaning of "deduction"
Delaney v Staples [1991] IRLR 112 – CA
Greg May (C F & C) Ltd v Dring [1990] IRLR 19
Barlow v Whittle [1990] IRLR 79
Alsop v Star Vehicle Contracts Ltd [1990] IRLR 83
Delaney v Staples [1990] IRLR 86
Kournavous v J R Masterton & Sons (Demolition) Ltd [1990] IRLR 119
Janstorp International (UK) Ltd v Allen [1990] IRLR 417
921.2 Unlawful deduction from wages – Meaning of "wages"
Delaney v Staples [1991] IRLR 112 – CA and [1990] IRLR 86
Kournavous v J R Masterton & Sons (Demolition) Ltd [1990] IRLR 119
Foster Wheeler (London) Ltd v Jackson [1990] IRLR 412 and [1989] IRLR 283
Janstorp International (UK) Ltd v Allen [1990] IRLR 417
921.3 Unlawful deduction from wages – Whether required or authorised by statute or contract
York City & District Travel Ltd v Smith [1990] IRLR 213
921.4 Unlawful deduction from wages – Whether employee had agreed in writing
Pename Ltd v Paterson [1989] IRLR 195
929.1 Remedies – Repayment of deduction
Reid v Camphill Engravers [1990] IRLR 268
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Elliott v SOGAT [1983] IRLR 3
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R v Certification Officer ex parte AUEW (Eng) and others [1982] IRLR 67 – HC
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Stirling and others v Dietsmann Management Systems Ltd [1991] IRLR 368
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Cowell v Quilter Goodison & Co Ltd and another [1989] IRLR 392 – CA
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Gorictee Ltd v Jenkinson [1984] IRLR 391
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R v CAC ex parte BTP Tioxide Ltd [1982] IRLR 60 – HC

1200 DISCLOSURE OF INFORMATION
R v CAC ex parte BTP Tioxide Ltd [1982] IRLR 60 – HC

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1400 COLLECTIVE AGREEMENTS

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Marley v Forward Trust Group Ltd [1986] IRLR 369 – CA and [1986] IRLR 43
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1418 Legal enforceability – Duress
Dimskal Shipping Co SA v International Transport Workers' Federation [1990] IRLR 102 – CA

1500 INDUSTRIAL ACTION
Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 26 – CA

1511 Contemplation or furtherance of trade dispute
Dimskal Shipping Co SA v International Transport Workers' Federation [1990] IRLR 102 – CA
Associated British Ports and others v TGWU [1989] IRLR 291 – HC
London Underground Ltd v NUR [1989] IRLR 341 – HC
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1512 Due notice of strike
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1513 Inducement to breach of contract
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1516 Union as agent for member
Associated British Ports and others v TGWU [1989] IRLR 291 – HC
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1517 Union liability
Express & Star Ltd and others v NGA (1982) and another [1986] IRLR 222 – CA and [1985] IRLR 455 – HC
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1518 Peaceful picketing
Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA
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1520 Tort immunities
Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC
Galt (Procurator Fiscal) v Philp and others [1984] IRLR 156 – HC
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Plessey Co plc and another v Wilson and others [1982] IRLR 198 – CS

1523 Tort immunities – Breach of contract
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC

1525 Tort immunities – Strike ballot
Secretary of State for Scotland v Scottish Prison Officers' Association and others [1991] IRLR 371 – CS
Tanks & Drums Ltd v TGWU [1991] IRLR 372 – CA
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Monsanto plc v TGWU [1986] IRLR 406 – CA
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1540 Secondary action
Shipping Co Uniform Ltd v International Transport Workers' Federation [1985] IRLR 71 – HC
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1543 Secondary action – Suppliers/customers
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Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 218 – HL and [1983] IRLR 26 – CA
Marina Shipping Ltd v Laughton and Shaw [1982] IRLR 20 – CA

1560 Tort liability
Dimbleby & Sons Ltd v NUJ [1984] IRLR 67 – CA
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1561 Tort liability – Interference with business by unlawful means
Associated British Ports and others v TGWU [1989] IRLR 305 – CA and [1989] IRLR 291 – HC
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
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Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
Merkur Island Shipping Corporation v Laughton and others [1983] IRLR 26 – CA
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Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1982] IRLR 456 – NIHC

1562 Tort liability – Trespass
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC

1563 Tort liability – Nuisance
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
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Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1982] IRLR 456 – NIHC

1564 Tort liability – Interference with contract by unlawful means
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1565 Tort liability – Intimidation
News Group Newspapers Ltd and others v SOGAT '82 and others [1986] IRLR 337 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC

1566 Tort liability – Assault
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC

1567 Tort liability – Inducing breach of statutory duty
Associated British Ports and others v TGWU [1989] IRLR 399 – CA, [1989] IRLR 305 – CA and [1989] IRLR 291 – HC

1570 Criminal offences and picketing
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
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Elsey v Smith (Procurator Fiscal) [1983] IRLR 292 – HC

1572 Criminal offences and picketing – Breach of the peace
Moss and others v McLachlan [1985] IRLR 76 – HC
R v Mansfield Justices ex parte Sharkey and others [1984] IRLR 496 – HC

1573 Criminal offences and picketing – Obstruction of the police
Moss and others v McLachlan [1985] IRLR 76 – HC

1581 Remedies – Damages
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
Norbrook Laboratories Ltd v King and Norbrook Laboratories Ltd v Sands [1984] IRLR 200 – NICA and [1982] IRLR 456 – NIHC
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1581.9 Remedies – Damages – Interest
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
1582 Remedies – Injunction
Barretts & Baird (Wholesale) Ltd and others v IPCS [1987] IRLR 3 – HC
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
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1583 Remedies – Declaration
Messenger Newspapers Group Ltd v NGA (1982) [1984] IRLR 397 – HC
1586 Remedies – Restitution
Dimskal Shipping Co SA v International Transport Workers' Federation [1990] IRLR 102 – CA
1590 Court procedure
Monterosso Shipping Co Ltd v ITF [1982] IRLR 468 – CA
1596 Court procedure – Interlocutory relief
Union Traffic Ltd v TGWU and others [1989] IRLR 127 – CA
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1598 Court procedure – Contempt
Kent Free Press v NGA and others [1987] IRLR 267 – HC
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Austin Rover Group Ltd v AUEW (TASS) [1985] IRLR 162 – HC
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1600 HANDLING REDUNDANCIES
1601 Definition of redundancy
Association of University Teachers v University of Newcastle-upon-Tyne [1988] IRLR 10
1620 Timing of consultation
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1624 Timing of consultation – Proposed redundancy
Hough and others v Leyland DAF Ltd [1991] IRLR 194
1640 Consultation requirements
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
TGWU v Ledbury Preserves (1928) Ltd [1985] IRLR 412
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1650 Special circumstances
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1652 Special circumstances – Insolvency
Angus Jowett & Co v NUTGW [1985] IRLR 326
1660 Protective award
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135
1662 Protective award – Just and equitable
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
1663 Protective award – Seriousness of employer's default
Sovereign Distribution Services Ltd v TGWU [1989] IRLR 334
Angus Jowett & Co v NUTGW [1985] IRLR 326
1667 Protective award – Offsetting payments
Vosper Thornycroft (UK) Ltd v TGWU and GMBATU [1988] IRLR 232
1671 Protective award – Date of commencement of protected period
TGWU v Ledbury Preserves (1928) Ltd [1986] IRLR 492
Green E & Son (Castings) Ltd and others v ASTMS and AUEW [1984] IRLR 135

2200 TRADE UNIONS AND INDIVIDUALS
Hudson v GMB [1990] IRLR 67 – HC
Iwanuszesak v GMBATU [1988] IRLR 219 – CA
Boxfoldia Ltd v National Graphical Association (1982) [1988] IRLR 383 – HC
Paul and Fraser v NALGO [1987] IRLR 413 – HC
Hamlet v GMBATU [1986] IRLR 293 – HC
Elliott v SOGAT [1983] IRLR 3
2210 Exclusion from membership
Saunders v Bakers, Food & Allied Workers' Union [1986] IRLR 16
Goodfellow and others v NATSOPA [1985] IRLR 3
Hughes v TGWU [1985] IRLR 382 – HC
Clark v NATSOPA [1985] IRLR 494
Howard v NGA [1984] IRLR 250 – CA and [1983] IRLR 440, 442 and 445
National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] IRLR 70
2220 Unjustifiable discipline of union member
Medhurst v Dental Estimates Board Branch of NALGO and NALGO [1990] IRLR 459
2221.1 Unjustifiable discipline of union member – Definition of "discipline" – Expulsion from membership
TGWU v Webber [1990] IRLR 462
2221.4 Unjustifiable discipline of union member – Definition of "discipline" – Access to benefits, services or facilities
NALGO v Killorn and Simm [1990] IRLR 464
2221.6 Unjustifiable discipline of union member – Definition of "discipline" – Any other detriment
NALGO v Killorn and Simm [1990] IRLR 464
2222.2 Unjustifiable discipline of union member – Claim in time – Delay due to appeal
NALGO v Killorn and Simm [1990] IRLR 464
2223 Unjustifiable discipline of union member – Conduct occasioning disciplinary determination
Medhurst v Dental Estimates Board Branch of NALGO and NALGO [1990] IRLR 459
2228.2 Remedies – Compensation
Bradley and others v NALGO [1991] IRLR 159
2250 Expulsion from membership
McGhee v TGWU [1985] IRLR 198
Cheall v APEX [1983] IRLR 215 – HL, [1982] IRLR 362 – CA and [1982] IRLR 91 – HC
2260 Breach of union rules
Loosley v NUT [1988] IRLR 157 – CA
Goring v British Actors Equity Association [1987] IRLR 122 – HC
Taylor and others v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC, [1985] IRLR 65 – HC and [1984] IRLR 440 – HC
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
Hopkins v National Union of Seamen [1985] IRLR 157 – HC
Bourne v Colodense Ltd [1985] IRLR 339 – CA
Taylor and Foulstone v NUM (Yorkshire Area) and NUM [1984] IRLR 445 – HC
2270 Remedies
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC
2271 Remedies – Injunction
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC and [1984] IRLR 440 – HC
Taylor and Foulstone v NUM (Yorkshire Area) and NUM [1984] IRLR 445 – HC
2272 Remedies – Declaration
Clarke and others v Chadburn and others [1984] IRLR 350 – HC
Taylor and others v NUM (Derbyshire Area) and others [1984] IRLR 440 – HC
2273 Remedies – Compensation
Saunders v Bakers, Food & Allied Workers' Union [1986] IRLR 16
Howard v NGA [1984] IRLR 489
2274 Remedies – Damages
Taylor and another v NUM (Derbyshire Area) and others [1985] IRLR 99 – HC
2293 Unjustifiable discipline of union member – Tribunal procedure
Medhurst v Dental Estimates Board Branch of NALGO and NALGO [1990] IRLR 459
2296 Remedies – Interlocutory relief
Loosley v NUT [1988] IRLR 157 – CA
Longley v NUJ and others [1987] IRLR 109 – CA
Thomas and others v NUM (South Wales Area) and others [1985] IRLR 136 – HC
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Veness and Chalkley v NUPE and others [1991] IRLR 76 – HC
Lenahan v UCATT [1991] IRLR 78 – HC
R v Certification Officer ex parte Electrical Power Engineers' Association [1990] IRLR 398 – HL, [1990] IRLR 98 – CA and [1989] IRLR 338 – HC
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News Group Newspapers Ltd and others v SOGAT '82 [1986] IRLR 227 – CA
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2510 Liability generally
Kent Free Press v NGA and others [1987] IRLR 267 – HC
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2511 Liability – Authorisation of act
Tanks & Drums Ltd v TGWU [1991] IRLR 372 – CA
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2512 Liability – Endorsement of act
Richard Read (Transport) Ltd v NUM (South Wales Area) and George M Read Ltd v NUM (South Wales Area) [1985] IRLR 67 – HC
2513 Liability – Repudiation of act
Express & Star Ltd and others v NGA (1982) and another [1985] IRLR 455 – HC
2524 Responsible persons – Other employed official
Express & Star Ltd and others v NGA (1982) and another [1985] IRLR 455 – HC
2551.1 Ballots – Purpose of ballot – Strike or other industrial action
R v Certification Officer ex parte Royal College of Nursing [1991] IRLR 258 – HC
2551.3 Ballots – Purpose of ballot – Union rules
R v Certification Officer ex parte Royal College of Nursing [1991] IRLR 258 – HC
2580 Amalgamations
R v Certification Officer ex parte AUEW (Engineering Section) and others [1983] IRLR 113 – CA and [1982] IRLR 67 – HC

3000 HEALTH AND SAFETY AT WORK
R v London Borough of Islington ex parte Building Employers' Confederation [1989] IRLR 382 – HC
White v Holbrook Precision Castings Ltd [1985] IRLR 215 – CA
Select Managements Ltd v Westminster City Council [1985] IRLR 344 – CA
West Bromwich Building Society v Townsend [1983] IRLR 147 – HC
Deary (HM Inspector of Factories) v Mansion Hide Upholstery Ltd [1983] IRLR 195 – HC
Laws v Keane (Procurator Fiscal) [1982] IRLR 500 – HC
3300 Safety representatives
Cleveland County Council v Springett and others [1985] IRLR 131
3400 Statutory offences
Baxter v Harland & Wolff plc [1990] IRLR 516 – NICA
Whitfield v H & R Johnson (Tiles) Ltd [1990] IRLR 525 – CA
Nurse v Morganite Crucible Ltd [1989] IRLR 88 – HL
HM Inspector of Factories v Austin Rover Group Ltd [1989] IRLR 404 – HL
Allen v Avon Rubber Company Ltd [1987] IRLR 22 – CA
R v Mara [1987] IRLR 154 – CA

? v AI Industrial Products Ltd [1987] IRLR 296 – CA
McGovern v British Steel Corporation [1986] IRLR 411 – CA

4410 Statutory offences – Failure to discharge general duty
Pape v Cumbria County Council [1991] IRLR 463 – HC
Carmichael (Procurator Fiscal) v Rosehall Engineering Works Ltd [1983] IRLR 482 and 480

4430 Failure to discharge specific duties – Policy statement
Osborne v Bill Taylor of Huyton Ltd [1982] IRLR 17 – HC

4500 Employer's liability
Wood v British Coal Corporation [1991] IRLR 271 – HL and [1991] IRLR 22 – CA
Smoker v London Fire and Civil Defence Authority [1991] IRLR 271 – HL
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Thompson, Gray and Nicholson v Smiths Shiprepairers; Blacklock and Waggott v Swan Hunter Shipbuilders; Mitchell v Vickers Armstrong and Swan Hunter Shipbuilders [1984] IRLR 93 – HC

4590 Damages
Dews v National Coal Board [1987] IRLR 330 – HL

4592 Damages – Loss of amenity
Thompson, Gray and Nicholson v Smiths Shiprepairers; Blacklock and Waggott v Swan Hunter Shipbuilders; Mitchell v Vickers Armstrong and Swan Hunter Shipbuilders [1984] IRLR 93 – HC

4597.1 Damages – Deductions – Redundancy payment
Colledge v Bass Mitchells & Butlers Ltd [1988] IRLR 163 – CA

4597.2 Damages – Deductions – Payments made under permanent health insurance scheme
Hussain v New Taplow Paper Mills Ltd [1988] IRLR 167 – HL

4597.3 Damages – Deductions – Pension benefits
Wood v British Coal Corporation [1991] IRLR 271 – HL and [1991] IRLR 22 – CA
Smoker v London Fire and Civil Defence Authority [1991] IRLR 271 – HL and [1990] IRLR 271 – HC

4598 Damages – Contributory negligence
Crouch v British Rail Engineering Ltd [1988] IRLR 404 – CA
Allen v Avon Rubber Company Ltd [1987] IRLR 22 – CA

4599 Damages – Limitation
McDermid v Nash Dredging & Reclamation Co Ltd [1987] IRLR 334 – HL and [1986] IRLR 308 – CA

4620 Occupiers' Liability Act
Ferguson v Welsh and others [1988] IRLR 112 – HL

4631 Transport Act – Drivers' hours
Kelly v Shulman [1988] IRLR 478 – HC

4798 Occupational diseases – Effect of European Community law
Grimaldi v Fonds des Maladies Professionnelles [1990] IRLR 400 – ECJ

5100 EMPLOYMENT APPEAL TRIBUNAL
Morgan v Electrolux Ltd [1991] IRLR 89 – CA
Piggott Brothers & Co Ltd v Jackson and others [1991] IRLR 309 – CA
Clifford v Union of Democratic Mineworkers [1991] IRLR 518 – CA
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Chiltern House Ltd v Chambers and others [1990] IRLR 88
Adams and another v West Sussex County Council [1990] IRLR 215
William Hill Organisation Ltd v Gavas [1990] IRLR 488 – CA
Duke v Prospect Training Services Ltd [1989] IRLR 196
Martin v British Railways Board [1989] IRLR 198
Adlington and others v British Bakeries (Northern) Ltd [1989] IRLR 217 – CA
McLaren v National Coal Board [1988] IRLR 215 – CA
Foster v South Glamorgan Health Authority [1988] IRLR 277
British Coal Corporation (formerly NCB) v Cheesbrough and Secretary of State for Employment [1988] IRLR 351 – CA
Woodcock and others v Committee for the time being of the Friends School, Wigton and Genwise Ltd [1987] IRLR 98 – CA
McLeod and others v Hellyer Brothers Ltd and Wilson and another v Boston Deep Sea Fisheries Ltd [1987] IRLR 232 – CA
Saunders v Bakers, Food & Allied Workers' Union [1986] IRLR 16
Shook v London Borough of Ealing [1986] IRLR 46
Hereford and Worcester County Council v Neale [1986] IRLR 168 – CA and [1985] IRLR 281
Davies v Presbyterian Church of Wales [1986] IRLR 194 – HL
Birch and Humber v University of Liverpool [1985] IRLR 165 – CA
Medallion Holidays Ltd v Birch [1985] IRLR 406
Lamont v Fry's Metals Ltd [1985] IRLR 470 – CA
Spook Erection v Thackray [1984] IRLR 116 – CS
Nethermere (St Neots) Ltd v Taverna and Gardiner [1984] IRLR 240 – CA
Howard v NGA [1984] IRLR 250 – CA and [1983] IRLR 440 and 442
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Dobie v Burns International Security Services (UK) Ltd [1984] IRLR 329 – CA
National Society of Operative Printers, Graphical and Media Personnel v Kirkham [1983] IRLR 70
O'Kelly and others v Trusthouse Forte plc [1983] IRLR 369 – CA
Chiu v British Aerospace plc and others [1982] IRLR 56
Dean v Islamic Foundation [1982] IRLR 290 – CA
Woods v WM Car Services (Peterborough) Ltd [1982] IRLR 413 – CA

4160 Fresh evidence
Barber v Thames Television plc [1991] IRLR 236
Wileman v Minilec Engineering Ltd [1988] IRLR 144

4170 Notes of evidence
Piggott Brothers & Co Ltd v Jackson and others [1991] IRLR 309 – CA
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4192 Costs
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4200 CERTIFICATION OFFICER
Lenahan v UCATT [1991] IRLR 78 – HC
R v Certification Officer ex parte Electrical Power Engineers' Association [1990] IRLR 398 – HL, [1990] IRLR 98 – CA and [1989] IRLR 338 – HC
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Hough and others v Leyland DAF Ltd [1991] IRLR 194
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British Gas plc v McCarrick [1991] IRLR 305 – CA
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A Links & Co Ltd v Rose [1991] IRLR 353 – CS
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Dimtsu v Westminster City Council [1991] IRLR 450
Clifford v Union of Democratic Mineworkers [1991] IRLR 518 – CA
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Alsop v Star Vehicle Contracts Ltd [1990] IRLR 83
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NGA v Howard [1983] IRLR 445
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4320 Rules of procedure
Telephone Information Services v Wilkinson [1991] IRLR 148
Ashmore v British Coal Corporation [1990] IRLR 283 – CA
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4330 Discovery
Adams and another v West Sussex County Council [1990] IRLR 215

4340 Further particulars
Byrne and others v Financial Times Ltd [1991] IRLR 417

4370 Reasons
William Hill Organisation Ltd v Gavas [1990] IRLR 488 – CA

4400 COURT OF APPEAL
Ridgway and Fairbrother v National Coal Board [1987] IRLR 80 – CA
Duke v Reliance Systems Ltd [1987] IRLR 139 – CA
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Courage Take Home Trade Ltd v Keys [1986] IRLR 427
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R v Central Arbitration Committee ex parte BIFU [1982] IRLR 505 – CA and [1982] IRLR 12 – HC
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5200 SCHEDULE 11
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6000 INCOME TAX
Pepper v Hart and others [1991] IRLR 126 – CA
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"Integrity" v Rouvroy [1991] IRLR 176 – ECJ
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7300 Unemployment benefit
Morton v Chief Adjudication Officer [1988] IRLR 444 – CA
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7398 Unemployment benefit – Effect of European Community law
Cotter and another v Minister for Social Welfare and another [1991] IRLR 380 – ECJ
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Imperial Group Pension Trust Ltd and others v Imperial Tobacco Ltd and others [1991] IRLR 66 – HC
Wood v British Coal Corporation [1991] IRLR 271 – HL and [1991] IRLR 22 – CA
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Chapman v Aberdeen Construction Group plc [1991] IRLR 505 – CS
Micklefield v SAC Technology Ltd [1990] IRLR 218 – HC
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R v London Borough of Hammersmith and Fulham ex parte NALGO and others [1991] IRLR 249 – HC
R v Civil Service Appeal Board ex parte Cunningham [1991] IRLR 297 – CA and [1990] IRLR 503 – HC
R v Lord Chancellor's Department ex parte Nangle [1991] IRLR 343 – HC
R v Army Board of the Defence Council ex parte Anderson [1991] IRLR 425 – HC
R v Department of Health ex parte Gandhi [1991] IRLR 431 – HC
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R v Certification Officer ex parte Electrical Power Engineers' Association (1989) IRLR 338 – HC
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